WORKS PUBLISHED BY

MESSRS. BUTTERWORTH,

[illegible]

[illegible]

[illegible]

WORKS PUBLISHED BY

MESSRS. BUTTERWORTH.

THE

TOWN COUNCILLORS & BURGESSES MANUAL:

A Popular Digest

OF

MUNICIPAL AND SANITARY LAW,

WITH INFORMATION AS TO

Charters of Incorporation,

AND A

USEFUL COLLECTION OF FORMS, ESPECIALLY ADAPTED FOR NEWLY INCORPORATED BOROUGHS.

BY

LOUIS GACHES, L.L.M., B.A.,

OF THE INNER TEMPLE, ESQ., BARRISTER-AT-LAW.

LONDON:

BUTTERWORTHS, 7, FLEET STREET,

Law Publishers to the Queen's most excellent Majesty.

DUBLIN: HODGES, FOSTER & CO. EDINBURGH: T. & T. CLARK; BELL & BRADFUTE.

CALCUTTA: THACKER, SPINK & CO. BOMBAY: THACKER, VINING & CO.

MELBOURNE: GEORGE ROBERTSON.

1875.

LONDON:
PRINTED BY C. ROWORTH AND SONS,
NEWTON STREET, W.C.

PREFACE.

This Work has been prepared on the suggestion of several professional gentlemen by whom I have been engaged in relation to municipal matters. Up to the present time no cheap work furnishing a simple exposition of the municipal and sanitary functions of the Council has been published. This volume will be found to supply the necessary information in a popular form at a fourth of the outlay which has hitherto been required. The powers of the Council, with respect to the supply of water and drainage, I have stated fully; also the proceedings connected with the poll, corrupt practices, and election petitions.

I have added information required for the purpose of obtaining the grant of a charter of incorporation, and the forms necessary for the purpose, together with a general collection of forms, which will be found especially adapted for newly-incorporated boroughs.

LOUIS GACHES.

1, Elm Court, Temple,
January, 1875.

CONTENTS.

CHAP.		PAGE
I.	Of Corporations—Incorporation—Boroughs when Sanitary Authorities	1
II.	Of Burgesses and the Burgess List	14
III.	Of the Revision	18
IV.	Of the Council—Election of Councillors—Mayor and Aldermen—The Poll—Corrupt Practices—Election Petitions—Disqualifications—Resignation—Amotion	20
V.	Of the Powers and Duties of the Council ..	109
	Water Supply	118
	Drainage	122
	Highways	124
	Markets	133
VI.	The Election and Duties of Auditors	141
VII.	The Assessors	143
VIII.	The Town Clerk and his Duties	144
IX.	The Treasurer	149
X.	The Medical Officers of Health	150
XI.	The Surveyor and Inspector	155
XII.	The Collector	158
XIII.	The Watch Committee and Constables	159
XIV.	Of Bye-Laws	162
XV.	Finances	169
XVI.	The Recorder and Administration of Justice ..	175

APPENDIX:

MUNICIPAL FORMS.

		PAGE
I.	Petition for Incorporation	181
II.	Claim	183
III.	Objection	183
IV.	Notice of Revision	184
V.	Notice of Election	184
VI.	Nomination Paper	186
VII.	Notice of Nominations	187
VIII.	Notice of Election on Extraordinary Vacancy	187
IX.	Appointment of Polling Places	188
X.	Appointment of Presiding Officer	189
XI.	Instructions to Presiding Officers	189
XII.	Declaration of Result of Election, without Poll	195
XIII.	Declaration of Result of Election, after Poll	196
XIV.	Notice to Person Elected	196
XV.	Notice of Death of Councillor	197
XVI.	Notice of Resignation of Office	198
XVII.	Summons for Meeting	198
XVIII.	Appointment of Deputy Mayor	199
XIX.	Appointment of Deputy Alderman	199
XX.	Appointment of Mayor's Auditor	200
XXI.	Model Municipal Bye-Laws	200
XXII.	Watch Rate Order	205
XXIII.	Borough Rate Order	208
XXIV.	Precept for Borough Rate	210
XXV.	Precept for Watch Rate	210
XXVI.	Statutory Declaration of Secrecy	211
XXVII.	Declaration of Inability to Read	211
XXVIII.	Directions for the Guidance of Voter	212
XXIX.	The Ballot Act—Sections 4 and 9	213

SANITARY FORMS.

XXX.	Regulations as to Medical Officers of Health	215
XXXI.	Regulations as to Inspectors of Nuisances	225
XXXII.	Mortgage of Rates	234
XXXIII.	Transfer of Mortgage	234
XXXIV.	Distress Warrant	235
XXXV.	Conviction	237

PAGE

XXXVI. Order for Execution of Works by Owners .. 237
XXXVII. Grant of Rent-charge 238
XXXVIII. Notice requiring Owner to do Works 240
XXXIX. Artizans Dwellings Act, 1868 241

CHARGING ORDERS.

XL. Order by Court of Quarter Sessions 242
XLI. Notice by Clerk of the Peace 243
XLII. Common Lodging Houses Act—Notice .. 243
XLIII. Nuisances Removal Act—Order to inspect Private Premises 244
XLIV. Notice of Nuisance 245
XLV. Notice of Entry for Examination 246
XLVI. Summons 247
XLVII. Order for Removal of Nuisances 248
XLVIII. Order for Removal of Nuisances by Sanitary Authority 251
XLIX. Order to permit Execution of Works by Owners 252
L. Summons for Non-payment of Costs, Expenses or Penalties 253
LI. Order for Payment of Costs 254
LII. Warrant of Distress 256
LIII. The Commissioners Clauses Consolidation Acts 257

FORM OF MORTGAGE.

LIV. Transfer of Mortgage 258

LV. Directions for testing Petroleum to ascertain the Temperature at which it gives off Inflammable Vapour 259
LVI. Notice of Resolution of Council to oppose Parliamentary Bill 260
LVII. Notice of Resolution of Burgesses consenting to opposition to Parliamentary Bill 261
LVIII. Time Table 262

THE

Town Councillors and Burgesses MANUAL.

CHAPTER I.

OF CORPORATIONS—MUNICIPAL BOROUGHS, WHEN SANITARY AUTHORITIES.

A CORPORATION is a privilege possessed by one person or several persons, who subsist as a body politick under a special denomination, and are vested by the law with the capacity of perpetual succession, and of acting as a single individual. The object of the institution is to enable the members to act by one united will, and to continue their joint powers and property in the same body undisturbed by the change of members, and without the necessity of perpetual conveyances (*a*).

(*a*) There appear to be several sources of municipal institutions—

(1.) The Roman system of decurions, handed down prescriptively, as in the cities of the south of France. The municipal magistrates of Nîmes are mentioned in the 10th century.

Corporations are sole or aggregate.

Corporations sole reside in one person;

Corporations aggregate reside in a number of persons.

Municipal corporations are corporations aggre-

(2.) The Teutonic system of guilds, spreading to the whole community.

(3.) The forcible insurrection of the inhabitants against their lords.

(4.) Charters regularly granted by the king. The Charter of London was granted by Henry I., in 1100 A.D. There were guilds existing in the city before that date.

The object of charters of incorporation is to give to the grantees a general name by which they can sue and be sued and take and grant lands, and that they should, in that general name, enjoy all their rights, privileges and possessions by perpetual succession.

The old chartered towns before Henry VI. (1421) were not incorporated; the municipal bodies of these towns were regarded as bodies perpetual by natural succession—as one generation succeeds another.

The artificial notion of a succession under a special denomination is first instanced in the Charter of Kingston-upon-Hull, A.D. 1439. The Statutes of Mortmain, which provide that religious houses and secular bodies shall not acquire land without the licence of the crown, were the cause of the introduction of municipal corporations. 15 Richard II. c. 5 (A.D. 1391), provides that "mayors, bailiffs and commons of cities, boroughs and other towns which have a perpetual commonalty, and others which have offices perpetual, being as perpetual as men of religion, shall not purchase land without licence of the crown."

Under such provisions boroughs were unable to acquire land for public purposes; and, to enable them to do so, the charters were altered or surrendered, and in new charters the constitution of bodies corporate conferred upon them.

gate created for the purpose of regulating the internal government of towns.

Municipal corporations are regulated by the Municipal Corporations Act, 5 & 6 Will. 4, c. 76 (amended by subsequent acts) (*b*).

A town governed by a corporation under this act is styled a municipal borough.

By sect. 141 of 5 & 6 Will. 4, c. 76, amended by 7 Will. 4 & 1 Vict. c. 78, s. 49, the crown, by the advice of the privy council, is empowered to grant charters of incorporation, on the petition of the inhabitant householders, to any town or borough, whether corporate or not corporate, in England or Wales.

It is not necessary that the petition should be signed by the majority of the inhabitant householders of the town or borough seeking to be incorporated, but of a relative majority as to the petitions for and against incorporation.

The petition should be drawn as coming from the inhabitant householders of the whole district desiring incorporation, for the right of the crown to grant a charter to any district arises only on the petition of the inhabitant householders of that district (*c*).

(*b*) The act only applied to then existing corporations which are mentioned in the schedule to the act. It does not apply to London; there were sixty-seven other boroughs which were not thought sufficiently important to bring within the provisions of the act.

(*c*) *Reg.* v. *Boucher*, 3 Q. B. 641; *Rutter* v. *Chapman*, 8

It is advisable that the petition should be read and agreed upon at a public meeting of the inhabitants, called by public advertisement, and signed by the churchwardens and overseers, or other the persons usually convening public meetings, in the town or borough. Notice of the petition must be published in the "London Gazette" one month before it is considered by the privy council.

The privy council have hitherto directed an inquiry on the spot, and their instructions to the commissioner delegated by them to conduct the inquiry have been confined to the following points:—

1. With reference to the number of inhabitant householders who have signed the petition for and against the corporation, and the amount of their several assessments.
2. As to the past and present local government of the town or borough sought to be incorporated, and the probable increase or diminution of local expenditure which may follow the grant of a charter.
3. As to the boundaries to be given to the borough if the charter is granted, and its

---

M. & W. 1; *Reg.* v. *The Mayor of Aberavon*, 11 Law Times, 417.

division into wards if such division be thought necessary.

The word "town" is defined, an inhabited place where the dwelling-houses are so near each other that they may be said to be continuous (*d*).

If the charter be granted, the council may pay the costs of the petition out of the borough rate (*e*).

By the Public Health Act, 1872, England, exclusive of the metropolis, and including Wales and the town of Berwick-upon-Tweed, is divided into sanitary districts, which are respectively subject to the jurisdiction of local authorities, designated urban sanitary authorities and rural sanitary authorities.

A borough constituted either before or after the passing of the Public Health Act, 1872, is an urban sanitary district.

A borough, the whole of which is included in and forms part of a local government district, or improvement act district, is, for sanitary purposes, absorbed in the larger district in which it is included.

The improvement commissioners or local board, as the case may be, of the larger district, are the sanitary authority for the whole of it.

(*d*) *Reg.* v. *Cottle*, 16 Q. B. 416.
(*e*) 13 & 14 Vict. c. 42, s. 3.

Where a borough is coincident in area with a local government district, or improvement act district, the borough is an urban sanitary district, and the council of the borough is the sanitary authority.

Where part of an improvement act district is situated within a borough or local government district, or where part of a local government district is situated within a borough, the remaining part of the district continues subject to the same jurisdiction for sanitary purposes it would have been subject to if the Public Health Act, 1872, had not passed, unless the local government board by provisional order otherwise direct.

For sanitary purposes the boroughs of Oxford, Cambridge, Blandford, Calne, Wenlock, and Newport, Isle of Wight, are not deemed boroughs. The borough of Cambridge is deemed an improvement act district, and the borough of Oxford included in the local government district of Oxford.

The part of the borough of Folkestone not included in the local government district of Sandgate is an urban sanitary district, under the jurisdiction for sanitary purposes of the authority for executing the Folkestone Improvement Act, 1855 (*e*).

(*e*) 35 & 36 Vict. c. 79, s. 4.

If, after the application of the local government acts to a district, the parts constituting the district become or are entirely comprised within the limits of a corporate borough, the town council of the borough are the local board for the district, and the powers, duties, property and liabilities of any other persons as the local board absolutely cease, and are vested in the town council as fully to all intents and purposes as if they had always been the local board from the time when the district was originally constituted (*f*).

The expression "corporate borough" in the local government acts means any city, borough, port, cinque port or town corporate named in the schedules to 5 & 6 Will. 4, c. 76, and any city, borough, port, cinque port or town corporate incorporated by charter granted in pursuance of that or any subsequent act; and the word "burgesses" in the local government acts means citizens in the case of a city (*g*).

Where a district has been constituted in pursuance of the provisions of the Public Health Act, 1848, for the purposes of main sewerage only, the authority of that district have the same powers, and are subject to the same obligations under that

(*f*) 11 & 12 Vict. c. 63, s. 33; 21 & 22 Vict. c. 98, s. 26.
(*g*) 12 & 13 Vict. c. 94, s. 10.

act and any act amending it, as if the Public Health Act, 1872, had not passed. But the local government board may by provisional order dissolve the district or invest the authority of it with any powers, rights, duties and obligations, exerciseable by a sanitary authority under the sanitary acts (*h*). A collegiate or other corporate body required or authorized by act of parliament to divert its sewers or drains from a river, or to construct new sewers, and any public department of the government, has the same powers and is subject to the same obligations under the Sewage Utilization Act, 1867, as if the Public Health Act, 1872, had not passed (*i*).

Nothing in or done under the Public Health Act, 1872, affects any outfall or other works of the metropolitan board of works (although beyond the metropolis) executed under the Metropolis Management Act, 1855, and the acts amending or extending it, or prejudicially affects any right or privilege of the metropolitan board of works (*j*).

When a borough comprises or is co-extensive in area with the whole of an improvement act district, the local government board may, by provisional order, dissolve the district and transfer to

(*h*) 35 & 36 Vict. c. 79, s. 58.
(*i*) Ibid. s. 56.
(*j*) Ibid. c. 39, s. 57.

the council of the borough the jurisdiction and powers of the improvement commissioners (*k*).

An order made in pursuance of any of these powers may, if necessary, provide for the settlement of differences, or the adjustment of accounts or apportionment of liabilities arising between districts or places in consequence of the exercise of any of these powers, and it may direct the persons by and to whom money found to be due is to be paid, and the mode of raising it.

Where a local government district is diminished or increased in extent under these powers, the provisional order must prescribe the number of members to be elected for the altered district (*l*).

In a district comprising the whole of a corporate borough and also a part not within the boundaries of the borough, the mayor for the time being of the borough and the number of other persons fixed by a provisional order of the general board of health as the number to be selected by the town council out of their number, or from persons qualified to be councillors of the borough, are, when selected by the council, together with the number of persons elected in respect of the non-

(*k*) 35 & 36 Vict. c. 79, s. 22.
(*l*) Ibid.

corporate parts, the local board of health for the district (*m*).

In a district comprising the whole of a corporate borough and also a part not within the boundaries of the borough, the number of qualified persons fixed by the provisional order to be elected for the part outside the borough must from time to time be elected in the manner and by the owners of property and ratepayers provided by the Public Health Act, 1848, and together with the persons selected in respect of the corporate parts of the district they are the local board of health for the district.

In a district to which the Public Health Act, 1848, has been applied by an order in council, the number of qualified persons fixed by the order must be elected in the manner and by the owners of property and ratepayers mentioned above, and they are the local board of health for the district.

In a district which does not comprise the whole of a corporate borough, and to which the Public Health Act, 1848, has been applied by authority of parliament, the number of qualified persons fixed by a provisional order of the general board of health must be elected in the manner and by

(*m*) 11 & 12 Vict. c. 63, s. 12.

the owners of property and ratepayers provided by that act, and they are the local board of health for the district (*n*).

If a corporate borough is included only for the purposes of sewerage in a district comprising a part not within the boundaries of the borough, and this part is constituted a district for any other purposes of the Public Health Act, 1848, the persons elected for the sewerage district are, for the separate district within which they have been elected, the local board of health (*o*).

Each person selected by the council out of their own number is a member of the local board so long as he continues without re-election to be a member of the council and no longer.

Each person selected by the council otherwise than out of their own number is a member of the local board for one year from the date of his selection and no longer. In case of a vacancy in the number selected, some other person must be selected within one month by the council by whom the person causing the vacancy was selected. The meeting of the council at which

(*n*) 11 & 12 Vict. c. 63, s. 13.
(*o*) Ibid. s. 15.

a selection is made is deemed a meeting held in pursuance of 5 & 6 Will. 4, c. 76 (*p*).

The local government board consists of a president appointed by the queen, and of the following *ex officio* members, *viz.:* the lord president of the privy council, all the principal secretaries of state for the time being, the lord privy seal, and the chancellor of the exchequer.

The board may adopt an official seal, and any act to be done or instrument executed by the board may be done or executed in the name of the board by the president or any member, or by a secretary or assistant, if authorized by any general order of the board (*q*).

The powers of the secretary of state and of the privy council under the following acts are transferred to the local government board (*r*):—9 & 10 Vict. c. 74; 10 & 11 Vict. c. 34; 10 & 11 Vict. c. 61; 11 & 12 Vict. c. 63; 21 & 22 Vict. c. 98; 24 & 25 Vict. c. 61; 26 & 27 Vict. c. 17; 28 & 29 Vict. c. 75; 29 & 30 Vict. c. 90; 30 & 31 Vict. c. 113; 31 & 32 Vict. c. 115; 31 & 32 Vict. c. 130; 32 & 33 Vict. c. 100; 11 & 12 Vict. c. 63; 18 & 19 Vict. c. 116; 21 & 22

(*p*) 11 & 12 Vict. c 63, s. 12.
(*q*) 34 & 35 Vict. c. 70, ss. 3, 5.
(*r*) 34 & 35 Vict. c. 70.

Vict. c. 97, ss. 1, 3, 5 and 6; 22 & 23 Vict. c. 3; 23 & 24 Vict. c. 77; 29 & 30 Vict. c. 90; 31 & 32 Vict. c. 115; and any acts amending these acts and conferring powers on the privy council and secretary of state respectively.

The local government board may make inquiry respecting matters under the local government acts the sanitary acts and sewage utilization acts, and appoint inspectors for that purpose, who are empowered to summon parochial and other officers and witnesses, and compel the production of documents.

CHAPTER II.

OF BURGESSES AND THE BURGESS LISTS.

THE burgess rights are now, by the Municipal Franchise Act, 1869 (*a*), given to all persons, male and female, who being of full age have occupied a house, warehouse, counting-house, shop or other building within the borough, on the last day of July in the year of registration and during the whole of the preceding twelve calendar months, and have during that period resided within the borough, or within seven miles of it, and have been rated in respect of the occupied premises to the poor rates of the parish where the premises are situated during the qualifying year, and have paid on or before the 20th July in the registration year all poor and borough rates (if any) payable up to the 5th January preceding, and who are duly enrolled as prescribed by the Municipal Corporation Act.

Aliens and recipients (within qualifying year) of parochial relief or other alms are disqualified, and constables appointed by the council cannot vote whilst in the service.

The overseers of the poor of every parish in the borough, or the persons executing their duties, are on the 1st September in every year to make out

(*a*) 32 & 33 Vict. c. 55.

an alphabetical list, in the form given by the act, of persons entitled to be enrolled on the burgess roll in respect of property within the parish. The name of each person must be given at full length, and the nature of the property rated, and the street where the property is situated, for which he or she is then rated, must be specified. The list is then to be signed by the overseers, and delivered on the same day to the town clerk, the overseers keeping a true copy for inspection by any person without fee (*b*). The town clerk will cause the lists to be printed and published,—and persons omitted therefrom may on or before 15th September send

---

(*b*) In boroughs where there is a separate court of quarter sessions the mayor has the sole power of appointing overseers under stat. 43 Eliz. c. 2, s. 8, and stat. 5 & 6 Will. 4, c. 76, s. 6. *Reg.* v. *Preston*, 18 L. J., M. C. 10.

Where there is no separate court of quarter sessions the county justices appoint the overseers.

By 5 & 6 Will. 4, c. 76, s. 111, the county justices have jurisdiction in boroughs where there is no court of quarter sessions; by 12 & 13 Vict. c. 8, and 12 & 13 Vict. c. 64, the appointment of overseers is taken from the municipal officers and given to the justices having jurisdiction in boroughs, and to remove any doubt 15 & 16 Vict. c. 38, provides that the county justices are to appoint the overseers in boroughs where there is no separate court of quarter sessions.

Any substantial householder is liable to be appointed overseer; four, three, or two overseers are to be appointed for each parish; 43 Eliz. c. 2, s. 1.

Members of parliament, ministers, barristers, solicitors and physicians are exempt from being appointed overseers.

A woman may be appointed overseer.

to the town clerk a written claim specifying the qualifying premises and the parish in which and the period for which the claimant has been rated; it must be signed by the claimant, give the claimant's place of abode, and if rated in several parishes during the qualifying year, the time during which the claimant has been rated in each parish.

Persons on the list may be objected to by other persons on the list as not being entitled to have their names retained therein. The objection must be in writing, in the form prescribed, must be signed as directed by the act, and must be delivered to the town clerk and to the person objected to, or left at the rated premises, on or before 15th September.

The claim and objection lists are to be published by the town clerk from the 23rd to the 30th September, both inclusive, and at the revising court (hereinafter mentioned) objections and claims will be heard. Copies of all lists are to be kept by the town clerk for perusal, and also for sale.

By 21 & 22 Vict. c. 43, it is enacted, that when the owner of a tenement, the rateable value of which does not exceed six pounds, is rated to the poor instead of the occupier thereof, and such owner has paid all rates due in respect of such tenement, the occupier shall be entitled to all municipal privileges and franchises to which he would have been entitled if he himself had been

rated and had paid such rates; and if such owner has not paid his rates then the occupier may tender to the overseers the amount of any rate or rates then due from the occupier in respect of such tenement, and such overseer is bound to receive the same, and on payment or tender of such amount the occupier shall be entitled to exercise all municipal privileges and franchises. To constitute a rating the name of the person to be charged must appear on the rate.

Where a house is let out in separate portions to different tenants, each having the complete control over his portion, and the landlord does not reside on the premises, each portion is the house of such occupier (*c*).

The occupation of a lodger is considered in law that of the landlord, who is the person liable to be rated. A person is not therefore the less a householder because he lets a portion of his house to lodgers.

Compound householders are entitled to be enrolled.

A member of a firm of attorneys who occupy premises as a place of business within the borough may be a burgess, although neither he nor any of his firm nor their servants sleep on the premises (*d*).

(*c*) *Cook* v. *Humber*, 31 L. J., C. P. 73; *Wilson* v. *Roberts*, 31 L. J., C. P. 78.

(*d*) *In re Creek*, 32 L. J., Q. B. 89.

CHAPTER III.

OF THE REVISION.

THE mayor and the revision assessors, or their deputies, are to hold an open court every year, between the 1st and the 15th October, for the purpose of revising the burgess lists; of which three clear days' notice, on or near the outer door of the town hall, or in some conspicuous situation in the borough, must be given.

At the opening of the court, the town clerk will produce: 1, the overseers' lists; 2, the claims and objections; 3, lists of claims and objections. The parish officers must attend and give necessary information. The mayor will insert in the burgess lists the name of every claimant substantiating his claim, and retain the names of all persons to whom no objection shall have been made. He will expunge the names of all persons properly objected to, who shall fail to establish their qualification; and, without objection, will strike out the names of all dead persons.

He may also correct the lists in the following instances: 1, mistake in name; 2, place of abode; 3, description of property; and will disallow all duplicate qualifications, subject to the voter's

selection of ward, and in the absence of selection is to retain such person on the ward list in which he resides.

The mayor may adjourn the court from time to time, but not beyond the 15th October. He may swear or affirm all witnesses and officers. He must initial all alterations, and sign his name to each page of the lists, when the same will be delivered to the town clerk, who is to keep them, and cause them to be copied into alphabetical ward lists, with every name numbered, by the 22nd October; and these will form the burgess roll of persons entitled to vote at any election between the following and the succeeding 1st November.

When a name is expunged at the revision, the party may apply for a mandamus to be placed on the burgess roll; the claimant has to prove his title in all respects (*a*).

The first revision court in a borough is held before the barrister appointed by the charter.

Copies of the roll, written or printed, are to be supplied by the town clerk on payment of a reasonable price.

(*a*) *Reg.* v. *Mayor of Harwich*, 8 A. & E. 919.

CHAPTER IV.

OF THE COUNCIL—ELECTION OF COUNCILLORS—MAYOR AND ALDERMEN—THE POLL—CORRUPT PRACTICES—ELECTION PETITIONS—DISQUALIFICATIONS—RESIGNATION—AMOTION.

THE council is composed of the mayor, aldermen and councillors, and the numerical strength of the council is specified in the act or charter creating the corporation.

All male persons entitled to be on the burgess list, and possessed of real or personal estate, or both, to the following amount, that is to say, in all boroughs divided into four or more wards to the amount of one thousand pounds, or rated to the relief of the poor of such borough upon the annual value of not less than thirty pounds; and in all boroughs divided into less than four wards, or which shall not be divided into wards, to the amount of five hundred pounds, or rated to the relief of the poor in such borough upon the annual value of not less than fifteen pounds, and now, by the Municipal Franchise Act, 1869, resident occupiers, rated as aforesaid, if resident within fifteen miles of the borough, are eligible for councillors. If a borough, consisting of less

than four wards, be at any time after 1869 divided into a greater number of wards, the qualification is not to be altered (*a*).

The whole number of the council must be divisible by eight, as a third of the councillors retire every year, and half the aldermen every third year.

Persons in holy orders, regular ministers of dissenting congregations, persons holding any office of profit under the council, and persons directly or indirectly interested in any contract or employment with or on behalf of the council, and convicts for bribery, are disqualified; shareholders in lighting, water and insurance companies contracting with the council are not disqualified (*b*); shareholders and persons interested in any newspaper, in which advertisements appear relating to the borough or council, are not by reason thereof to be deemed contractors (*c*); and persons interested in any railway company incorporated by act of parliament or royal charter, or under the Companies Act, 1862, are not to be deemed contractors having an interest in a contract or employment with, by or on behalf of the council, by reason of such interest; and are not to be dis-

(*a*) 32 & 33 Vict. c. 55, s. 4.
(*b*) 5 & 6 Will. 4, c. 76, s. 28.
(*c*) 15 & 16 Vict. c. 5, s. 1.

qualified from election to municipal offices by reason thereof (*d*).

The election of councillors takes place on the 1st of November every year (Monday supplying the place of Sunday when that occurs), when one-third of the whole number of councillors, or the councillors for each ward, go out of office, being those who shall have been longest in office without re-election, and, where the borough is divided into wards, longest in office in each ward.

Persons elected to supply vacancies go out when the persons whose places they fill would have gone out.

Before councillors are capable of acting as such (except for the purpose of administering the declaration) they subscribe a declaration before two aldermen or two councillors (*e*).

Vacancies by death, resignation or removal, are to be filled up by election, to be held in ten days after notice to mayor, or town clerk, given by two burgesses.

Seven clear days before a municipal election notice is to be given, by the town clerk, on the door of the town hall, and where the borough is divided into wards, in some conspicuous place in the ward for which such election is to be held;

(*d*) 32 & 33 Vict. c. 55.
(*e*) See Appendix.

and any person entitled to vote may nominate himself without, or with any other qualified person or persons, not exceeding the number required to be elected; such nomination to be in the form given by the act of parliament regulating the same, and to be delivered to the town clerk two clear days (Sunday excluded) before the day of election. If the borough be divided into wards, the voter can only nominate and vote for the candidates in his ward. The town clerk is to provide necessary nomination papers, and, if required by any person entitled to nominate, is to fill them up. The clerk will cause to be printed, and will, one clear day before the day of election, publish the names, abodes and descriptions of such nominated persons, with the names of the nominators, on the door of the town hall, and, if the borough be divided into wards, in some other conspicuous place in the ward for which the election is to be held.

If the result of the nomination be that the precise number to be elected be nominated, then they will be deemed elected; if the number be less than required, they will be deemed elected, and the deficiency made up from the retiring councillors, according to their position on the poll at their election; and it would seem that if the poll be equal, or there be no poll, then such as the mayor shall nominate to make up the number

shall be deemed elected; and if the election be not a first election, and no persons be so nominated, the retiring councillors are to be deemed to be re-elected. If the number be more than required, then a contest and poll will follow, which will be by ballot, the mode of voting at which will be the same as at parliamentary elections, and, so far as that goes, all the provisions of the Ballot Act will apply.

The election of mayor is to be on 9th November in every year, unless that should fall on Sunday, and then on the following day. The mayor is elected out of the aldermen, or councillors, by the council, and his election must precede all other business. He must make a like declaration to that made by the other members of the council, and is subject to the same penalty for acting without qualification or qualifying. If an alderman be chosen, he is not subject to a fine for refusing to take office, though he may be otherwise amenable.

An outgoing mayor may be re-elected, and will continue in office until his successor has qualified.

He is affected by bankruptcy, composition and absence, in the same manner as the other members of the council, and on any happening the council is forthwith to declare and publish the office as being void.

In case of vacancy by death, resignation or removal, the council is to elect a successor for the unexpired term of office. The mayor whilst in office, and for the next succeeding year, is *ex officio* a justice for the borough, with a right of precedence during his year of office, when transacting borough business. He is, whilst in office, the supreme power of the borough, and is the authority for calling public meetings, and initiating and giving directions for the carrying out of all public demonstrations, and other such matters (*e*).

He is the returning officer at the parliamentary borough elections, and with two assessors forms a court for the revision of the burgess lists. He may, in writing, from time to time appoint an alderman or councillor, as deputy, to act for him when ill or absent; but such deputy will not be entitled to sit as a justice, nor to preside at a council meeting, unless specially appointed by the meeting to do so. The mayor is chairman of the council, and has a second or casting vote in case of equality of votes. The council may grant the mayor a salary. Formerly it was doubtful

(*e*) The mayor has no right to preside and act as chairman at petty sessions and other meetings of the borough justices (*Ex parte The Mayor of Birmingham*, 30 L. J., Q. B. 2); but now by 24 & 25 Vict. c. 75, s. 2, the mayor, during his mayoralty, is to take precedence over the borough justices.

whether a corporate officer could resign, but now every person elected into a corporate office in any borough may do so on payment of the fine attaching to the non-acceptance of office (*f*).

The councillors, on the 9th November in every year, elect the aldermen from themselves, or from persons qualified to be councillors, from whom the councillors for each ward are to choose one to be alderman for their ward. Half the aldermen, being those who have been longest in office without re-election, go out of office every third year. The same qualifications are necessary, and the same disqualifications apply to aldermen as to councillors. Aldermen going out of office may be forthwith re-elected, but cannot vote at the election of new aldermen.

Each councillor may vote for the number of aldermen to be chosen, by delivering to the mayor or chairman of the meeting a signed voting paper, containing the christian and surname of each person for whom he votes, with his place of abode and description, but the initial letter of the christian name of the person proposed, and of the voter, has been held sufficient; the persons having the greatest number of votes are, by the mayor, to be declared elected; and in the event of equality of votes the chairman will have a casting vote,

---

(*f*) 6 & 7 Will. 4, c. 104, s. 8.

though he may not be entitled to vote in the first instance. Although outgoing aldermen cannot vote at the election of aldermen, they may for a mayor retiring from the council before the election of aldermen, and an outgoing alderman may be elected mayor. Aldermen are required before acting to subscribe a similar declaration to that made by councillors, and are subject to the same penalty for acting without doing so, or without qualification, and for not accepting office.

Vacancies are to be filled up by the council within ten days, on a day to be fixed by the mayor, and if filled up by a councillor, his place is to be filled up by election. In case of the illness or incapacity of the ward alderman the mayor may appoint a substitute.

Where the borough is not divided into wards, the mayor is the returning officer; and where there are wards, the ward alderman is that officer for his ward. The returning officer has a casting vote; and it is his duty to provide the polling stations, ballot boxes, stamping instruments, and other necessaries. He has not power to take compulsorily a room for a polling place. In taking the ballot the mayor or ward alderman may personally preside, or appoint a presiding officer. The expense of the elections is defrayed out of the borough fund.

THE POLL.

Where a poll is required, the returning officer must give public notice of the situation of the polling stations, and the description of voters entitled to vote at each station, and of the mode in which electors are to vote. The form of directions as to the mode in which burgesses are to vote must be placarded outside every polling station, and in every compartment of every polling station, and illustrated by examples of the ballot paper (*g*).

In the event of a poll being required, the first business of the returning officer will be to provide polling stations, appoint presiding officers and clerks for each polling station, and provide a sufficient supply of ballot boxes, ballot papers, materials for marking ballot papers, stamping instruments, and copies of the burgess roll.

The office of a presiding officer is equivalent to that of deputy returning officer. There is to be one presiding officer for each polling station; but the returning officer himself may act as a presiding officer, and no doubt will do so where there is only one polling station. The returning officer may appoint clerks to assist the presiding officer

---

(*g*) See Appendix.

at each station, but he will of course not do so where the number of voters is small.

A presiding officer or clerk must not have been employed in or about the election, and must not act by himself, his partner or clerk, as an agent for the candidate.

The returning officer must provide each ward with at least one polling station, under a separate presiding officer, and must furnish each polling station with such number of compartments as allows one compartment to every 150 persons entitled to vote at the station. The polling station may be either in a room or a booth, but sect. 37 of 30 & 31 Vict. c. 102, directs that a room is to be used where practicable. More than one polling station may, if necessary, be fitted up in the same room. Care must be taken that the partitions dividing the compartments in the polling stations are sufficient to effectually screen the voter from observation. It may be found advantageous that each polling station should contain on one side the seats of the presiding officer and his clerks, and of the personation agents entitled to attend, and on the other side the compartments into which the voters are to retire in order to mark their votes. It will be convenient so to arrange the room that voters who have marked their papers can reach the ballot box and leave the station

without meeting the fresh voters who are entering the stations.

The ballot box must be constructed so that ballot papers can be introduced therein and not withdrawn without unlocking the box. Care should be taken that the ballot box is of adequate size, so that it will not be choked by papers, and that it is of sufficient strength to enable it to be carried about with safety. Ballot boxes provided for municipal elections may be used, free of charge, for parliamentary elections, and *vice versâ.* The ballot papers must be printed strictly in accordance with Rule 22 and with the form in the second schedule to the Ballot Act (*b*). The names of those candidates only who have been duly nominated and not withdrawn can be printed on the ballot papers. Ballot papers of a different colour must be provided for "tendered votes." Every ballot paper must have a counterfoil, and must be numbered on the back with a number corresponding to that on the face of the counterfoil. As the object of the numbering is to make it possible to ascertain how votes have been given in the event of a scrutiny, all the ballot papers in any one election, at whatever station they are used, ought to be numbered in a continuous series. The ballot

(*b*) See Appendix.

papers and counterfoils should be bound up in books like ordinary cheque or receipt books. Care must be taken that no ballot paper is supplied to the presiding officer except by the returning officer, or to any other person except by the presiding officer in the station at the time of voting in accordance with the Ballot Act. The returning officer must keep accounts of the number of ballot papers supplied to each presiding officer. The official mark to be stamped on the ballot paper is to be kept secret. As the mark is to be visible on both sides of the paper, a perforating or embossing stamp should be used. Each compartment in the polling station should be supplied with pencils for voters to mark the ballot papers. Each polling station must be supplied with a copy of the burgess roll, or such part thereof as contains the names of the voters allotted to vote at that station. Before the opening of the poll, the returning officer and every officer, clerk and agent authorized to attend at the polling station or at the counting of the votes, must make a declaration of secrecy in the form provided by the Ballot Act (*c*). The person administering this declaration must, before it is taken, read over section 4 of the Ballot Act to the declarant (*d*).

(*c*) See Appendix.
(*d*) Ibid.

The only persons entitled to attend at the polling station are the presiding officer, the personation agents, of whose appointment notice has been given in accordance with 6 & 7 Vict. c. 18, s. 85, the candidates themselves, if they wish, and the constables on duty. Just before the commencement of the poll, the presiding officer at each polling station is to show the ballot box, empty, to such persons as may be present, and then to lock it up and seal it. He should then place it near him and keep it in his view. The presiding officer has power to ask the authorized questions and administer the authorized oaths. The presiding officer may delegate to his clerks any of his powers, except that of ordering the arrest, exclusion or ejection of any person. The attention of each presiding officer is particularly directed by his declaration of secrecy to the provisions of sect. 4, and should be directed to the powers of maintaining order conferred by sect. 9 of the Ballot Act (*e*). It is his duty to see that secrecy of voting is strictly maintained, to prevent unauthorized persons from entering the station, to direct the constables on duty only to admit a limited number of voters at any one time, and to see that each voter votes secretly in accordance

(*e*) See Appendix.

with the act, and without undue delay, and leaves the station immediately after giving his vote. Candidates may appoint agents for the purpose of detecting personation (*f*). These agents are also entitled to be present at the voting of illiterate voters. They are to take the same declaration of secrecy as the presiding officer, and are expressly prohibited from interfering with the voters or applicants for ballot papers, from attempting to look at the ballot papers, or obtain information as to how any vote is given, and from communicating to any person any information about any vote or the number of any ballot paper. It is the duty of the presiding officer to see that the agents conform, to remove them if they misconduct themselves. When the voter comes up to vote, the presiding officer or his clerk will ascertain that he is entitled to vote at that particular station, he will then mark one of the official ballot papers with the official mark, so that it be visible on both sides, call out the number, name and description of the voter as stated on the burgess roll, enter such number on the counterfoil of the ballot paper, place against the number of the voter in the register a tick, which will denote that the voter has received a

(*f*) 6 & 7 Vict. c. 18, s. 85.

ballot paper, but will not denote the particular ballot paper which he has received, and will then deliver the ballot paper to the voter. The questions which may be asked of the voter, and the oath which may be administered to him, are then put to him.

The voter having received his ballot paper, is to proceed at once to one of the compartments, is there secretly to mark his ballot paper and fold it up so as to conceal the mark or marks which he has made, and so as to leave the official mark visible on the back, and to take it so folded, without showing the front of the paper to any person, to the presiding officer (not to a clerk, sect. 2), show him the official mark, place the ballot paper at once in the ballot box, and immediately leave the station. The presiding officer must take care that no person interferes with the voter while he is giving his vote, puts into the ballot box any paper which has not the official mark, takes a ballot paper out of the station, or otherwise infringes the provisions of sections 3 and 4 of the Ballot Act. If any person attempts to put into the ballot box any ballot paper which has not the official mark on the back, or to take any ballot paper out of the station, or in any other way to infringe the provisions of sections 3 or 4, the presiding officer should order him to be arrested or removed.

If a voter accidentally spoils a ballot paper he may return it to be cancelled and may be given another. In three cases only is the ballot paper allowed to be marked by any person other than the voter himself, and then only by the presiding officer. These are, (1) persons incapacitated by blindness or any other physical cause; (2) Jews, if the polling takes place on a Saturday and they object on religious grounds to mark their votes; (3) persons unable to read. If a voter declares that he is unable to read, he must make before the presiding officer a declaration of inability to read in the prescribed form (*g*). This declaration must be read by the presiding officer to the voter, signed by the voter with his mark in the presence of the presiding officer, attested by the presiding officer, and kept by him to be sent to the returning officer. In any of these three cases, the presiding officer or one of his clerks is, in the presence of the personation agents, if they are in attendance, to mark a ballot paper in the way directed by the voter, place it in the ballot box, and enter the name and number of the voter on a list headed "the list of votes marked by the presiding officer," mentioning in such list the reason why the vote has been so marked. It must

(*g*) See Appendix.

be remembered, that the declaration of secrecy and the penalties under sect. 4 apply to votes given under these circumstances. The burgess roll is conclusive as to the right of a burgess to vote, and therefore no vote can be tendered except in the case of personation. A burgess tendering his vote, after another person has voted in his name, shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled to mark a ballot paper in the same way as any other voter, but the ballot paper (called a tendered ballot paper) shall be of a colour differing from the other ballot papers, and instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number on the register of votes, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter, and his number on the burgess roll, shall be entered on a list called "the tendered votes list." The presiding officer is not allowed to open the ballot box, which is, at the close of the poll, to be sealed up so as to prevent the introduction of additional ballot papers. As soon as practicable after the close of the poll, the presiding officer is, in the presence of the personation agents, if any are in

attendance, to make up into separate packets the ballot box and the several papers next mentioned, that is to say:—

(1.) Each ballot box in use at his station unopened, but with the key attached.

(2.) The unused and spoilt ballot papers, placed together.

(3.) The tendered ballot papers.

(4.) The marked copies of the register of voters and the counterfoils of the ballot papers.

(5.) The tendered votes list, and list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read.

He is to seal the packets with his own seal, and allow the agents, if they wish, to affix their seals; to deliver to the returning officer the several packets, together with the ballot paper account, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers.

Care should be taken that the several classes of

documents above mentioned are made up in separate packets, as only some of them are allowed to be opened by the returning officer (*h*).

COUNTING VOTES.

The returning officer is to count the votes as soon as possible after the close of the poll. The candidates are allowed to appoint agents to attend at the counting, but they must give the returning officer notice of the name and address of each agent one clear day before the opening of the poll. The returning officer is to give notice to the agents of the time and place of the counting of votes. The returning officer may, in addition to any clerks, appoint competent persons to assist in counting. The persons entitled to be present at the counting are the returning officer, his assistants and clerks, the candidates, and the duly appointed agents of the candidates. No one else is entitled to be present, except with the sanction of the returning officer. It is obvious that this sanction ought not to be given, except for the purpose of assisting the returning officer in the counting. All officers, clerks and agents authorized to attend at the counting must take the declaration of secrecy.

(*h*) 35 & 36 Vict. c. 60.

Before beginning to count the votes, the returning officer is to open the ballot boxes, count and record the number of papers in each box, so as to check any attempt at fraud, and then mix all the ballot papers together in such a way that it may not be known which papers came out of any particular ballot box. The returning officer is to proceed continuously with counting the votes, allowing only time for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between seven o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal, and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents. The provisions as to secrecy at the counting of the votes are contained in sect. 4 of the Ballot Act (*i*).

Any ballot paper which has not the official mark, or on which votes are given to more candidates than the voter is entitled to vote for, or on which anything except the number printed on the back is written or marked by which the voter can be identified, is to be void, and not counted. The

(*i*) See Appendix.

power of deciding on the validity of votes rests with the returning officer alone, and cannot be delegated.

The returning officer is to mark "rejected" on any ballot paper which he may reject as invalid, and to add "rejection objected to" if an objection be in fact made by any agent to his decision. The rejected votes are to be classified under the following heads:—

(1.) Want of official mark.

(2.) Voting for more candidates than entitled to.

(3.) Writing or mark by which voter could be identified.

(4.) Unmarked or void for uncertainty,

And shall, on request, allow any agents of the candidates to copy the statement.

If a vote is rejected on any other ground than those above specified, it must be entered under a special head. As soon as the result of the poll is ascertained, the returning officer is to declare elected the candidates for whom the majority of votes have been given. Public notice of the names of the candidates elected, and of the total number of votes given for each candidate, is to be given as soon as possible. Upon the completion of the counting, the returning officer is to seal up in separate packets the counted and rejected ballot papers. He is not to open the

packets containing tendered ballot papers, marked copy of burgess roll or counterfoils; but he is in the presence of the agents to verify the ballot paper account given by each presiding officer, by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall re-seal each sealed packet after examination (*k*). Lastly, the returning officer shall forward to the town clerk all the packets of ballot papers in his possession, together with the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read and packets of counterfoils and marked copies of the burgess roll, sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the borough for which the election is held (*l*). All documents forwarded by the returning officer to the town clerk, other than the ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the council, with the consent of one

(*k*) 35 & 36 Vict. c. 60.
(*l*) 35 & 36 Vict. c. 33, sched. 1, rule 64.

of her majesty's principal secretaries of state; and subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of the Ballot Act, shall be subject to the directions of the council of the borough (*m*). No person shall, except by order of the county court having jurisdiction in the borough, or any part thereof, or of any tribunal in which a municipal election is questioned, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the town clerk; such order may be made subject to such conditions as to persons, time, place and mode of opening or inspection as the tribunal making the order may think expedient, provided that in making and carrying into effect any such order care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted and his vote has been declared by a competent court to be invalid. An appeal may be had from an order by a county court in like manner as in other cases in such county court (*n*).

The burgesses will vote in their respective

(*m*) 35 & 36 Vict. c. 33, sched. 1, rule 64.
(*n*) Ibid.

wards and at the stations appointed by the respective returning officers, and may vote for as many persons as there are councillors to be chosen. The poll is to be open at 9 A.M. and close at 4 P.M.; but if one hour shall elapse during which no vote is tendered the presiding officer may close the poll. Where there is no contest the result of the nominations is to be published by 11 A.M. on the day of election, and if there shall have been a poll then it would seem that the result must be published by 2 P.M. of the next day. In case of the bankruptcy of a councillor, or composition with creditors, or absence from the borough for more than six calendar months consecutively, the council is forthwith to declare the office to be void and to publish notice thereof, and thereupon the office becomes void.

There is no provision made for the appointment of any agents for the candidates in municipal elections, but when they are appointed they are, when notice of such appointment has been given to the returning officer, clothed with the privileges of parliamentary agents (*o*).

PERSONATION.

A person is deemed guilty of the offence of personation who applies for a ballot paper in the

(*o*) 35 & 36 Vict. c. 33, s. 20.

name of some other person, whether that name be that of a person living or dead, or of a fictitious person, or who having voted once at the election applies at the same election for a ballot paper in his own name. The offence of personation, or of aiding, abetting, counselling or procuring the commission of the offence of personation of any person, shall be a felony; and any person convicted thereof shall be punished by imprisonment for a term not exceeding two years, together with hard labour. It is the duty of the returning officer to prosecute any person guilty of this offence, and the costs and expenses thereof are allowed by the court as in cases of felony.

CORRUPT PRACTICES AT MUNICIPAL ELECTIONS.

The offences of bribery, treating, undue influence, and personation, shall be deemed to be corrupt practices at an election.

The terms "bribery," "treating," "undue influence" and "personation" shall respectively include anything committed or done before, at, after, or with respect to an election, which if done before, at, after, or with respect to an election of members to serve in parliament would render the person committing or doing the same liable to any penalties, punishments, or disqualifications, for bribery, treating, undue influence, or per-

sonation, as the case may be, under any act for the time being in force with respect to elections of members to serve in parliament.

Any person who is guilty of a corrupt practice at an election shall be liable to the like actions, prosecutions, penalties, forfeitures, and punishments, as if the corrupt practice had been committed at an election of members to serve in parliament (*p*).

1. Every person is to be deemed guilty of bribery who shall directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or to endeavour to procure, any money, or valuable consideration, to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce any voter to vote, or refrain from voting, or shall corruptly do any such act as aforesaid, on account of such voter having voted or refrained from voting at any election:
2. ~~Every person who shall, directly or~~ indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or

(*p*) 35 & 36 Vict. c. 60, s. 3.

procure, or offer, promise, or promise to procure or to endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person, in order to induce such voter to vote, or refrain from voting, or shall corruptly do any such act as aforesaid, on account of any voter having voted or refrained from voting at any election:

3. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person, in order to induce such person to procure, or endeavour to procure, the return of any person to serve in parliament, or the vote of any voter at any election:

4. Every person who shall, upon or in consequence of any such gift, loan, offer, promise, procurement, or agreement, procure or engage, promise, or endeavour to procure the return of any person to serve in parliament, or the vote of any voter at any election:

5. Every person who shall advance or pay, or cause to be paid, any money to or to the

use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election (*q*).

The following persons shall also be deemed guilty of bribery, and shall be punishable accordingly:—

1. Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person on his behalf, receive, agree, or contract for any money, gift, loan, or valuable consideration, office, place, or employment for himself or for any other person, for voting or agreeing to vote, or for refraining or agreeing to refrain from voting, at any election:
2. Every person who shall, after any election, directly or indirectly, by himself or by any other person on his behalf, receive any money or valuable consideration on account of any person having voted or refrained from voting, or having induced any other person to vote or to refrain from voting, at any election.

(*q*) 17 & 18 Vict. c. 102, s. 2.

And any person so offending shall be guilty of a misdemeanor, and shall also be liable to forfeit the sum of ten pounds to any person who shall sue for the same, together with full costs of suit (*r*).

Every candidate at an election, who shall corruptly by himself, or by or with any person, or by any other ways or means on his behalf, at any time either before, during, or after any election, directly or indirectly, give or provide, or cause to be given or provided, or shall be accessory to the giving or providing, or shall pay, wholly or in part, any expenses incurred for any meat, drink, entertainment, or provision to or for any person, in order to be elected, or for being elected, or for the purpose of corruptly influencing such person or any other person to give or refrain from giving his vote at such election, or on account of such person having voted or refrained from voting, or being about to vote or refrain from voting, at such election, shall be deemed guilty of the offence of treating, and shall forfeit the sum of fifty pounds to any person who shall sue for the same, with full costs of suit; and every voter who shall corruptly accept or take any such meat, drink, entertainment, or provision, shall be incapable of voting

(*r*) 17 & 18 Vict. c. 102, s. 3.

at such election, and his vote, if given, shall be utterly void and of none effect (*s*).

Bribery is a corrupt bargain made with a burgess by or on behalf of a candidate, and it is necessary to prove a guilty intent in the voter. One vote for every burgess who receives a bribe, and who votes at the election, must be struck off the poll of the candidate giving the bribe, or on whose behalf it was given. The votes are to be struck off without ascertaining for whom the voter has in fact voted (*t*).

A notice of bribery before an election is not a notice of a disqualification which will render void all votes given for the candidate alleged to be guilty of bribery, so as to seat an opposing candidate (*u*).

The offence of bribery is complete whether the elector, after having been bribed, actually votes or not. Nor is an intention to violate the law necessary. Corruptly, means with an evil mind and intention.

An act done by a man knowing that he is doing

(*s*) 17 & 18 Vict. c. 102, s. 4.

(*t*) Ballot Act, s. 25; *Malcolm* v. *Ingram* (*The Boston Case*), 42 L. J., C. P. 331.

(*u*) *Drinklater* v. *Deakin* (*The Launceston Case*), 43 L. J., C. P. 355.

wrong, and doing it with an evil object, is corruptly done (*x*).

An election may be avoided on petition by the unauthorized bribes of agents. For the purpose of determining agency no hard and fast rule is laid down, the circumstances of each case being considered by itself. Authority given to a person to canvass will constitute that person an agent, whether paid or not for his services (*y*).

By 33 & 34 Vict. c. 75, s. 91, any person who, at the election of any member of a school board, or any officer appointed for the purpose of such election, is guilty of corrupt practices, shall, on conviction, for each offence be liable to a penalty not exceeding two pounds, and be disqualified for the term of six years after such election from exercising any franchise at any election under this act, or at any municipal or parliamentary election; and now, by 36 & 37 Vict. c. 86, s. 8, a person so guilty is incapable of holding any municipal office for the same time as he is incapable of exercising the franchise under sect. 91 of 33 & 34 Vict. c. 75.

Every person who shall, directly or indirectly, by himself or by any other person on his behalf, make use of, or threaten to make use of, any

(*x*) See *Cooper* v. *Slade*, 27 L. J., Q. B. 464.

(*y*) *Windsor Case*, 1 O. & H. 3.

force, violence or restraint, or inflict or threaten the infliction, by himself or by or through any other person, of any injury, damage, harm or loss, or in any other manner practise intimidation upon or against any person in order to induce or compel such person to vote or refrain from voting, or on account of such person having voted or refrained from voting, at any election, or who shall, by abduction, duress, or any fraudulent device or contrivance, impede, prevent, or otherwise interfere with the free exercise of the franchise of any voter, or shall thereby compel, induce or prevail upon any voter either to give, or to refrain from giving, his vote at any election, shall be deemed to have committed the offence of undue influence, and shall be guilty of a misdemeanor, and shall be liable to forfeit the sum of fifty pounds to any person who shall sue for the same, together with full costs of suit (*z*).

Influence brought to bear on a burgess is not necessarily undue; thus the mere fact of a man having influence, and intentionally retaining it, is not alone evidence of unduly exercising that influence. The law cannot strike at the existence of influence. It is the abuse of influence with which alone the law can deal; an influence can-

(*z*) 17 & 18 Vict. c. 102, s. 5.

not be said to be abused because it exists and operates.

Where it is found by the report of an election court that any corrupt practice has been committed by or with the knowledge and consent of any candidate at an election, such candidate shall be deemed to have been personally guilty of corrupt practices at the election, and his election, if he has been elected, shall be void, and he shall (whether he was elected or not) during seven years from the date of the report be subject to the following disqualifications, viz.:—

(1.) He shall be incapable of holding or exercising any municipal office or franchise, and of having his name placed on the register, or voting at any municipal election:

(2.) He shall be incapable of acting as a justice of the peace and of holding any judicial office:

(3.) He shall be incapable of being elected to and of sitting or voting in parliament:

(4.) He shall be incapable of being registered or voting as a parliamentary voter:

(5.) He shall be incapable of being employed by any candidate in any parliamentary or municipal election;

(6.) He shall be incapable of acting as overseer or as guardian of the poor.

If any person is upon an indictment or information found guilty of any corrupt practice at an election, or is in any action or proceeding adjudged to pay a penalty or forfeiture for any corrupt practice at an election, he shall, whether he was a candidate at the election or not, be subject during seven years from the date of the conviction or judgment to all the disqualifications mentioned in this section.

If at any time after any person has become disqualified, the witnesses, or any of them, on whose testimony such person has so become disqualified, are upon the prosecution of such person convicted of perjury in respect of such testimony, it shall be lawful for such person to move the superior court to order, and the superior court shall, upon being satisfied that such disqualification was procured by reason of perjury, order that such disqualification shall thenceforth cease and determine, and the same shall cease and determine accordingly (*a*).

If it is found by an election court that a candidate has by an agent been guilty of any corrupt practice at an election, or that any act declared

(*a*) 35 & 36 Vict. c. 60, s. 4.

to be an offence has been committed at an election by a candidate, or by an agent for a candidate, with the candidate's knowledge and consent, the candidate shall during the period for which he was elected to serve, or for which, if elected, he might have served, be disqualified for being elected to and for holding any municipal office in the borough for which the election was held, and if he was elected his election shall be void (*b*).

An election for a borough, or a ward thereof, shall be wholly avoided by such general corruption, bribery, treating or intimidation at the election for such borough or ward as would by the common law of parliament avoid an election of members to serve in parliament for a parliamentary borough (*c*).

No person who is included in a register for a borough or ward thereof, as a burgess or citizen, shall be retained or employed for payment or reward by or on behalf of a candidate at an election for such borough or any ward thereof as a canvasser for the purposes of the election.

If any person is retained or employed by or on behalf of a candidate at an election in contraven-

(*b*) 35 & 36 Vict. c. 60, s. 5.
(*c*) Ibid. s. 6.

tion of this prohibition, such person, and also the candidate or other person by whom he is retained or employed, shall be deemed to be guilty of an offence, and shall be liable, on summary conviction before two justices of the peace, to a penalty not exceeding ten pounds.

An agent or canvasser who is retained or employed for payment or reward for any of the purposes of an election shall not vote at the election, and if he votes he shall be guilty of an offence, and shall be liable, on summary conviction before two justices of the peace, to a penalty not exceeding ten pounds (*d*).

If a candidate or an agent for a candidate pays or agrees to pay any money on account of the conveyance of a voter to or from the poll, such candidate or agent shall be deemed to be guilty of an offence, and shall be liable, on summary conviction before two justices of the peace, to a penalty not exceeding five pounds (*e*).

The costs and expenses of a prosecutor and his witnesses in the prosecution of any person for either of the corrupt practices of bribery, undue influence or personation at an election, together with compensation for trouble and loss of time, shall, unless the court before which such person

(*d*) 35 & 36 Vict. c. 60, s. 7.
(*e*) Ibid. s. 8.

is prosecuted otherwise directs, be allowed, paid and borne in the same manner in which they may be allowed, paid and borne in cases of felony.

The clerk of the peace of the county in which a borough is situate, or in case of a borough which is a county of a city or a county of a town, or in which there is a clerk of the peace, the clerk of the peace of such county of a city or county of a town or borough, shall, if he is directed by an election court, prosecute any person for either of the corrupt practices of bribery, undue influence or personation at the election in respect of which the court acts, or to sue or proceed against any person for penalties for bribery, treating, undue influence or any offence at such election, prosecute, sue or proceed against such person accordingly (*f*).

The votes of persons in respect of whom any corrupt practice is proved to have been committed shall be struck off on a scrutiny. Subject to these provisions, the burgess roll shall for all purposes be conclusive as to the right of the persons included therein to vote at an election for the purposes whereof such roll is in force; but nothing herein contained shall entitle any person

(*f*) 35 & 36 Vict. c. 60, s. 9.

to vote who is by any act or law prohibited from voting at an election on the ground of any disqualification by office or disability, nor shall relieve any such person from any penalty, liability or punishment to which he may by law be subject by reason of his voting at an election (*g*).

ELECTION PETITIONS.

The election of any person at an election for a borough or ward may be questioned by petition before an election court constituted as hereinafter provided, and hereinafter referred to as the "court," on the ground that the election was as to the borough or ward wholly avoided by general bribery, treating, undue influence or personation, or on the ground that the election of such person was avoided by corrupt practices or offences committed at the election, or on the ground that he was at the time of the election disqualified for election to the office for which the election was held, or on the ground that he was not duly elected by a majority of lawful votes.

An election shall not, except in the manner provided here, be questioned upon an information

(*g*) 35 & 36 Vict. c. 60, s. 10.

in the nature of a *quo warranto* or by or in any process or manner whatsoever for a matter for which it might be questioned under these provisions (*h*).

The following provisions shall have effect with reference to the presentation of a petition complaining of an undue election (hereinafter referred to as a "petition"):—

(1.) A petition may be presented either by four or more persons who voted or who had a right to vote at the election or by a person alleging himself to have been a candidate at the election:

A petition shall be in the prescribed form and shall be signed by the petitioner or petitioners, and shall be presented to the superior court in the prescribed manner, and the prescribed officer shall send a copy thereof to the town clerk of the borough to which it relates, who shall forthwith publish it in the borough:

The terms "petitioner" and "respondent," as hereinafter used, include respectively any one or more persons by whom a petition is presented, and any

(*h*) 35 & 36 Vict. c. 60, s. 12.

one or more persons against whose election a petition is presented:

(2.) A petition shall be presented within twenty-one days after the day on which the election was held, unless it complain of the election on the ground of corrupt practices, and specifically allege a payment of money or other reward to have been made or promised since the election by a person elected at the election, or on his account or with his privity, in pursuance or furtherance of such corrupt practices, in which case it may be presented at any time within twenty-eight days after the date of the alleged payment or promise, whether or not any other petition against such person has been previously presented or tried:

(3.) At the time of presenting a petition or within three days afterwards, the petitioner shall give security for all costs, charges and expenses which may become payable by him to any witness summoned on his behalf, or to any respondent. The security shall be to the amount of five hundred pounds, and shall be given in the prescribed manner, either by a deposit of money or by recognizance

entered into by not exceeding four sureties, or partly in one way and partly in the other:

(4.) Within five days after the presentation of a petition the petitioner shall, in the prescribed manner, serve on the respondent a notice of the presentation and of the nature of the proposed security, and a copy of the petition; and the respondent may within five days from the service of the notice object in writing to any security by way of recognizance on the ground that any surety is insufficient or is dead, or cannot be found or ascertained for want of a sufficient description in the recognizance, or that a person named in the recognizance has not duly acknowledged the same. An objection to a recognizance shall be decided in the prescribed manner:

(5.) If an objection to the security is allowed, it shall be lawful for the petitioner, within a further prescribed time not exceeding five days, to remove such objection by a deposit in the prescribed manner of such sum of money as may be deemed by the court or officer having

cognizance of the matter to make the security sufficient:

If on objection made the security is decided to be insufficient, and the objection is not removed in manner hereinbefore mentioned, no further proceedings shall be had on the petition; but otherwise on the expiration of the time limited for making objections, or, after objection made, on the sufficiency of the security being established, the petition shall be deemed to be at issue:

(6.) Where a petition complains of the conduct of a returning officer, he shall be deemed to be a respondent:

(7.) The prescribed officer shall so soon as may be make out a list of all petitions under this act presented to the superior court which are at issue, placing them in the order in which they were presented, and shall keep at his office a copy of such list, hereinafter referred to as the "municipal election list," open to the inspection in the prescribed manner of any person making application to inspect the same:

(8.) The petitions shall, so far as conveniently

may be, be tried in the order in which they stand in such list:

(9.) Two or more candidates may be made respondents to the same petition, and their cases may be tried at the same time, but for all purposes such petition shall be deemed to be a separate petition against each respondent:

(10.) Where more petitions than one are presented relating to the same election, or to elections held at the same time for different wards of the same borough, all such petitions shall in the municipal election list be bracketed together as one petition, but such petitions shall stand in the list in the place where the last of such petitions would have stood if it had been the only petition relating to that election, unless the superior court otherwise directs (*i*).

An election court for the trial of petitions shall be constituted as follows:—

(1.) A petition shall be tried by a barrister qualified and appointed as hereinafter provided, without a jury:

(2.) So soon as may be after a municipal elec-

(*i*) 35 & 36 Vict. c. 60, s. 13.

tion list is made out a copy thereof shall by the prescribed officer be transmitted to each of the judges for the time being on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, and the said judges or any two of them shall forthwith determine the number of barristers, not exceeding five at any one time, necessary to be appointed for the trial of the petitions at issue, and shall appoint such number of barristers accordingly, and shall assign the petitions to be tried by them respectively:

(3.) No barrister shall be appointed or act for such purposes who is of less than fifteen years standing, or who is a member of parliament, or who holds any office or place of profit under the crown, other than that of a recorder, and no barrister shall try a petition relating to any borough for which he is recorder, or in which he resides, or which is included in a circuit of her majesty's judges on which he practices as a barrister (*j*):

(*j*) Candidates at parliamentary elections are disqualified.

(4.) If a barrister to whom the trial of a petition is assigned, dies, or declines or becomes incapable to act, the said judges or any two of them may assign the trial to be conducted or continued by any other of the barristers appointed as aforesaid:

(5.) The court shall for the purposes of the trial of a petition have all the same powers and privileges which a judge may have on the trial of an election petition under the provisions of the Parliamentary Elections Act, 1868, with this modification, that any fine or order of committal by the court may upon motion by the person aggrieved be discharged or varied by the superior court, or in vacation by a judge thereof, upon such terms, if any, as such superior court or judge thinks fit (*k*).

The following provisions shall have effect with respect to the trial of a petition:—

(1.) A petition shall be tried in open court, and notice of the time and place at which the petition will be tried shall be given not less than seven days before the day on which the trial is held, in the prescribed manner:

(*k*) 35 & 36 Vict. c. 60, s. 14.

(2.) A petition shall be tried within the borough to which it relates; provided that, if it appear to the superior court that special circumstances exist which render it desirable that the petition should be tried elsewhere than in the borough, it shall be lawful for the superior court to appoint such other place for the trial as appears most convenient:

(3.) The court may adjourn the trial from time to time, and from any one place to any other place within the borough or place where it is held, as may seem expedient:

(4.) At the conclusion of the trial the court shall determine whether the person whose election is complained of, or any and what other person, was duly elected, or whether the election was void, and shall forthwith certify in writing the determination to the superior court, and upon the certificate being given the determination shall be final to all intents and purposes as to the matters at issue on the petition:

(5.) Where any charge is made in a petition of any corrupt practice or offence against this act having been committed at the

election to which the petition refers, the court shall, in addition to the certificate, and at the same time, report in writing to the superior court as follows:

(*a.*) Whether any corrupt practice or offence has or has not been proved to have been committed by or with the knowledge and consent of any candidate at the election, and the nature of such corrupt practice or offence;

(*b.*) The names of all persons (if any) who have been proved at the trial to have been guilty of any corrupt practice or offence;

(*c.*) Whether any corrupt practices have, or whether there is reason to believe that any corrupt practices have extensively prevailed at the election to which the petition relates, in the borough or in any ward thereof;

The court may at the same time make a special report to the superior court as to any matters arising in the course of the trial, an account of which, in the judgment of the court, ought to be submitted to the superior court:

(6.) Where, upon the application of any party

to a petition made in the prescribed manner to the superior court, it appears to that court that the case raised by the petition can be conveniently stated as a special case, that court may direct the same to be stated accordingly, and any such special case shall be heard before the superior court, and the decision of the superior court shall be final:

(7.) If it appear to the court on the trial of a petition that any question of law as to the admissibility of evidence, or otherwise, requires further consideration by the superior court, the court may postpone the granting of a certificate until such question has been determined by the superior court, and for this purpose may reserve any such question, in like manner in which questions may be reserved by a judge on a trial at nisi prius:

(8.) On the trial of a petition, unless the court otherwise directs, any charge of a corrupt practice or offence may be gone into, and evidence in relation thereto received before any proof has been given of agency on behalf of any candidate in respect of such corrupt practice or offence:

(9.) On the trial of a petition complaining of an undue election and claiming the office for some person, the respondent may give evidence to prove that such person was not duly elected, in the same manner as if he had presented a petition against the election of such person:

(10.) The trial of a petition shall be proceeded with notwithstanding that the respondent has ceased to hold the office his election to which is questioned by the petition:

(11.) A copy of any certificate or report made to the superior court upon the trial of a petition or a statement of any decision made by the superior court shall by the superior court be transmitted to one of her majesty's principal secretaries of state:

(12.) A copy of any certificate made by the court to the superior court, or in the case of a decision by the superior court upon a special case a statement of such decision shall be certified by the superior court, under the hands of two or more judges of the superior court, to the town clerk of the borough to which the petition relates (*l*).

(*l*) 35 & 36 Vict. c. 60, s. 15.

The following provisions shall have effect with respect to witnesses at the trial of a petition:—

(1.) Witnesses shall be summoned and sworn in the same manner, as nearly as circumstances admit, as witnesses at a trial at nisi prius, and shall be liable to the same penalties for perjury:

(2.) On the trial of a petition the court may, by order in writing, compel the attendance of any person as a witness who appears to the court to have been concerned in the election to which the petition refers, and any person refusing to obey such order shall be guilty of contempt of court. The election court may examine any witness so compelled to attend, or any person in court although such witness is not called and examined by any party to the petition. After the examination of a witness by the election court, such witness may be cross-examined by or on behalf of the petitioner and respondent or either of them:

(3.) The provisions of the seventh section of the act of the twenty-sixth and twenty-seventh of her majesty, chapter twenty-nine, relating to the examination and

indemnity of witnesses, shall apply to any witness appearing before the court on the trial of a petition, and the certificate shall be given by the court; provided always, that the giving or refusal to give such certificate by the court shall be final and conclusive, and shall not be questioned by any proceeding, or in any court whatsoever:

(4.) The reasonable expenses incurred by any person in appearing to give evidence at the trial of a petition, according to the scale allowed to witnesses on the trial of civil actions at the assizes, may be allowed to such person by a certificate of the court, or of the prescribed officer, and such expenses, if the witness was called and examined by the court, shall be deemed part of the expenses of providing a court, and in other cases shall be deemed to be costs of the petition (*m*).

The following provisions relate to the withdrawal and abatement of petitions:—

(1.) A petition shall not be withdrawn without

(*m*) 35 & 36 Vict. c. 60, s. 16.

the leave of the court or superior court upon special application, to be made in and at the prescribed manner, time, and place;

No such application shall be made for the withdrawal of a petition until the prescribed notice has been given in the borough to which the petition relates, of the intention of the petitioner to make an application for the withdrawal of his petition:

(2.) On the hearing of the application for withdrawal, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court to be substituted as a petitioner for the petitioner so desirous of withdrawing the petition;

The court or superior court may, if it think fit, substitute as a petitioner any such applicant as aforesaid; and may further, if the proposed withdrawal is in the opinion of the court or superior court induced by any corrupt bargain or consideration, by order direct that the security given on behalf of the original petitioner shall remain as secu-

rity for any costs that may be incurred by the substituted petitioner, and that to the extent of the sum named in such security, the original petitioner and his sureties shall be liable to pay the costs of the substituted petitioner:

(3.) If no such order is made with respect to the security given on behalf of the original petitioner, security to the same amount as would be required in the case of a new petition, and subject to the like conditions, shall be given on behalf of the substituted petitioner before he proceeds with his petition, and within the prescribed time after the order of substitution:

(4.) Subject as aforesaid, a substituted petitioner shall stand in the same position as nearly as may be, and be subject to the same liabilities, as the original petitioner;

If a petition is withdrawn, the petitioner shall be liable to pay the costs of the respondent;

Where there are more petitioners than one, no application to withdraw a petition shall be made except with the consent of all the petitioners:

(5.) A petition shall be abated by the death of a sole petitioner or of the survivor of several petitioners;

The abatement of a petition shall not affect the liability of the petitioner or of any other person to the payment of costs previously incurred;

On the abatement of a petition the prescribed notice of such abatement having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given, any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court in and at the prescribed manner, time and place, to be substituted as a petitioner;

The court or superior court may, if it think fit, substitute as a petitioner any such applicant who is desirous of being substituted and on whose behalf security to the same amount is given as is required in the case of a new petition (*n*).

(*n*) 35 & 36 Vict. c. 60, s. 17.

The following provisions shall have effect with respect to the withdrawal and substitution of respondents upon a petition:—

(1.) If before the trial of a petition either of the following events happens in the case of a respondent other than a returning officer; viz.,

(*a.*) If he dies, resigns, or otherwise ceases to hold the office to which the petition relates; or

(*b.*) If he gives the prescribed notice that he does not intend to oppose the petition;

Notice of such event having taken place shall be given in the borough to which the petition relates, and within the prescribed time after the notice is given any person who might have been a petitioner in respect of the election to which the petition relates, may apply to the court or superior court to be admitted as a respondent to oppose the petition, and such person shall be admitted accordingly, and any number of persons not exceeding three may be so admitted:

(2.) A respondent who has given the prescribed notice that he does not intend to oppose the petition, shall not be allowed to appear

or act as a party against such petition in any proceedings thereon (*o*).

A person who assumes to be elected, though not in fact elected, may be made respondent to a municipal election petition presented under 35 & 36 Vict. c. 60, against his election (*p*).

The following provisions shall have effect with respect to costs on the trial of a petition :—

(1.) All costs, charges and expenses of and incidental to the presentation of a petition, and to the proceedings consequent thereon, with the exception of such costs, charges and expenses as are otherwise provided for, shall be defrayed by the parties to the petition in such manner and in such proportions as the court by which the petition is tried may determine; and in particular any costs, charges or expenses which in the opinion of the court by which the petition is tried have been caused by vexatious conduct, unfounded allegations or unfounded objections on the part either of the petitioner or the respondent, and

(*o*) 35 & 36 Vict. c. 60, s. 18.

(*p*) *Yates* v. *Leach*, 43 L. J., C. P. 377.

any needless expense incurred or caused on the part of petitioner or respondent, may be ordered to be defrayed by the parties by whom it has been incurred or caused, whether such parties are or not on the whole successful:

(2.) The costs may be taxed in the prescribed manner, but according to the same principles as costs between attorney and client in a suit in the High Court of Chancery, and such costs may be recovered in the same manner as the costs of an action at law, or in such other manner as may be prescribed:

(3.) If any petitioner neglect or refuse for the space of three months after demand to pay to any person summoned as a witness on his behalf, or to the respondent, any sum certified to be due to him for his costs, charges and expenses, and if such neglect or refusal be, within one year after such demand, proved to the satisfaction of the superior court, every person who has entered into a recognizance relating to such petition shall be held to have made default in his said recognizance, and the prescribed officer

shall thereupon certify such recognizance to be forfeited, and the same shall be dealt with in the same manner as a forfeited recognizance under the provisions of the Parliamentary Elections Act, 1868 (*q*).

The following provisions shall have effect with reference to the reception of the court upon the trial of a petition:—

(1.) The town clerk of a borough in respect of which a petition is to be tried shall provide proper accommodation for holding the election court; and any expenses incurred by him for the purposes of this section shall be paid by the treasurer of the borough out of the borough fund or rate:

(2.) All superintendents of police, chief constables, headboroughs, gaolers, constables and bailiffs, shall give their assistance to the court in the execution of the duties of the said court, and if any gaoler or officer of a prison makes default in receiving or detaining a prisoner committed thereto he shall incur a penalty not exceeding five pounds for

---

(*q*) 35 & 36 Vict. c. 60, s. 19.

every day during which such default continues:

(3.) The court may employ such officers and clerks as may be allowed by the general rules:

(4.) A shorthand writer shall attend at the trial of a petition, and shall be sworn by the court faithfully and truly to take down the evidence given at the trial, and shall take down the evidence at length, and a copy of the evidence so taken shall accompany the certificate of the said court, and the expenses of the shorthand writer, according to a scale to be prescribed, shall be deemed to be part of the expenses incurred in receiving the court (*r*).

The following provisions shall have effect with respect to jurisdiction, and to general rules:—

(1.) The judges for the time being on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, may from time to time make, revoke and alter general rules for the effectual execution of the Corrupt Practices Municipal Elections Act, 1872, and of the intention and object thereof,

---

(*r*) 35 & 36 Vict. c. 60, s. 20.

and the regulation of the practice, procedure and costs of petitions, and the trial thereof, and the certifying and reporting thereon;

Any general rules made as aforesaid shall, in so far as they are not inconsistent with any of the provisions of the act, be deemed to be within the powers conferred by the act, and shall be of the same force as if they were enacted in the body of the act;

Any general rules made in pursuance of these provisions shall be laid before parliament within three weeks after they are made, if parliament be then sitting, and if parliament be not then sitting, within three weeks after the beginning of the then next session of parliament:

(3.) The duties to be performed by the prescribed officer under the act shall be performed by the prescribed officer of the superior court:

(4.) The rules and principles with regard to agency and evidence, and with regard to a scrutiny, and with regard to the declaring any person to be elected in the room of any other person who is declared to have been not duly elected, which are

applicable in the case of parliamentary election petitions, shall be applied so far as they are applicable in the case of a petition under the act:

(5.) The superior court shall, subject to the provisions of this act, have the same powers, jurisdiction and authority with reference to an election petition and the proceedings thereon as it would have if the petition were an ordinary cause within its jurisdiction (*s*).

The remuneration and allowances to be paid to a barrister for his services in respect of the trial of a petition, and to any officers, clerks or shorthand writers employed under the provisions of this act, shall be fixed by a scale which shall be made and may be varied from time to time by the election judges on the rota for the trial of election petitions under the provisions of the Parliamentary Elections Act, 1868, with the approval of the commissioners of her majesty's treasury, or any two or more of them, and the amount of any such remuneration and allowances shall be paid by the said commissioners, and shall be repaid to the said commissioners on their certificate, by the treasurer of the borough to which

(*s*) 35 & 36 Vict. c. 60, s. 21.

the petition relates, out of the borough fund or rate:

Provided that the court at its discretion may order that the whole or any part of such remuneration and allowances, or the whole or any part of the expenses incurred by a town clerk for receiving the court under the provisions of this act, shall be repaid to the said commissioners or to the town clerk, as the case may be, in the cases, by the persons, in the manner following; viz.,

(a.) When in the opinion of the court a petition is frivolous and vexatious, then by the petitioner;

(b.) When in the opinion of the court a respondent has been personally guilty of corrupt practices at the election, then by such respondent:

And any order so made for the repayment of any sum by a petitioner or respondent may be enforced in the same way as an order for payment of costs; but any other costs or expenses payable by such petitioner or respondent to any party to the petition shall be satisfied out of any deposit or security made or given under the provisions of the act before such deposit or security is applied for the repayment of any sum under an order made in pursuance of these provisions (*t*).

(*t*) 35 & 36 Vict. c. 60, s. 22.

Where a candidate who has been elected to an office at an election is by a certificate of the court, or by a decision of the superior court, declared not to have been duly elected, acts done by him in execution of such office before the time when the certificate or decision is certified to the town clerk, shall not be invalidated by reason of his being so declared not to have been duly elected (*u*).

Where upon a petition the election of any person to an office has been declared void, and no other person has been declared elected in his room, a new election shall forthwith be held to supply the vacancy in the same manner as in the case of an extraordinary vacancy in the office; and for the purposes of any such new election any duties to be performed by a mayor, alderman or any officer, shall, if such mayor, alderman or officer has been declared not elected, be performed by a deputy, or other person who might have acted for him if he had been incapacitated by illness.

In reckoning time for the purposes of the act, Sunday, Christmas Day, Good Friday, and any day set apart for a public fast or public thanksgiving shall be excluded.

No person who has voted at an election by ballot shall in any proceeding to question the election be required to state for whom he has voted (*x*).

(*u*) 35 & 36 Vict. c. 60, s. 23.
(*x*) Ibid. ss. 24, 25 and 26.

GENERAL RULES AS TO PETITIONS.

I.—The presentation of a municipal election petition shall be made by leaving it at the office of the master for the time being nominated by the Chief Justice of the Common Pleas, under the Parliamentary Elections Act, 1868, and such master or his clerk shall (if required) give a receipt which may be in the following form:—

Received on the day of at the Master's Office a petition touching the election of A. B., alderman, councillor, [&c. *as the case may be*] for the borough of purporting to be signed by [*insert the names of petitioners*].

C. D., Master's Clerk.

With the petition shall also be left a copy thereof for the master to send to the town clerk, pursuant to section 13, sub-section (1), of the Municipal Elections Act.

II.—A municipal election petition shall contain the following statements:—

(1) It shall state the right of the petitioner or petitioners to petition within section 13, sub-section (1), of the act:

(2) It shall state the holding and result of the election, and shall briefly state the facts and grounds relied on to sustain the prayer.

III.—The petition shall be divided into paragraphs, each of which, as nearly as may be, shall

be confined to a distinct portion of the subject, and every paragraph shall be numbered consecutively, and no costs shall be allowed of drawing or copying any petition not substantially in compliance with this rule, unless otherwise ordered by the Court of Common Pleas or a judge at chambers.

IV.—The petition shall conclude with a prayer, as for instance, that some specified person should be declared duly returned or elected, or that the election should be declared void, or that a return may be enforced (as the case may be), and shall be signed by all the petitioners.

V.—The following form, or one to the like effect, shall be sufficient:—

In the Common Pleas.

The Municipal Elections Act, 1872.

Election for [*state the place and office for which election held*] holden on the day of A.D.

The petition of A. of [*or* of A. of , and B. of *as the case may be*] whose names are subscribed.

1. Your petitioner A. is a person who voted [*or* had a right to vote, *as the case may be*] at the above election [*or* was a candidate at the above election]; and your petitioner B. [*here state in like manner the right of each petitioner*].

2. And your petitioners state that the election was holden on the day of A.D. , when A. B., C. D. and E. F. were candidates, and that A. B. and C. D. have been in the usual manner declared to be duly elected.

3. And your petitioners say that [*here state the facts and grounds on which the petitioners rely*].

Wherefore your petitioners pray that it may be determined that the said A. B. was not duly elected, and that the election was void [*or* that the said E. F. was duly elected and ought to have been returned, *or as the case may be*].

Signed, A.
B.

VI.—Evidence need not be stated in the petition, but the Court of Common Pleas or a judge at chambers may order such particulars as may be necessary to prevent surprise and unnecessary expense, and to insure a fair and effectual trial in the same way as in ordinary proceedings in the Court of Common Pleas, and upon such terms as to costs and otherwise as may be ordered.

VII.—When a petitioner claims the office for an unsuccessful candidate, alleging that he had a majority of lawful votes, the party complaining of or defending the election shall, six days before the day appointed for trial, deliver to the master and also at the address, if any, given by the petitioners and respondent, as the case may be, a list of the votes intended to be objected to, and of the heads of objection to each such vote, and the master shall allow inspection and office copies of such lists to all parties concerned; and no evidence shall be given against the validity of any vote,

nor upon any head of objection not specified in the list, except by leave of the Court of Common Pleas or a judge at chambers, upon such terms as to amendment of the list, postponement of the inquiry, and payment of costs, as may be ordered.

VIII.—When the respondent in a petition under the act complaining of an undue election, and claiming the office for some person, intends to give evidence to prove that the election of such person was undue, pursuant to the 15th section of the act, sub-section (9), such respondent shall, six days before the day appointed for trial, deliver to the master, and also at the address, if any, given by the petitioner, a list of the objections to the election upon which he intends to rely, and the master shall allow inspection and office copies of such lists to all parties concerned; and no evidence shall be given by a respondent of any objection to the election not specified in the list, except by leave of the Court of Common Pleas or a judge at chambers, upon such terms as to amendments of the list, postponement of the inquiry, and payment of costs, as may be ordered.

IX.—With the petition petitioners shall leave at the office of the master a writing, signed by them or on their behalf, giving the name of some

person entitled to practise as an attorney in the Court of Common Pleas, whom they authorize to act as their agent, or stating that they act for themselves, as the case may be, and in either case giving an address, within three miles from the General Post Office, at which notices addressed to them may be left; and if no such writing be left or address given, then notice of objection to the recognizances, and all other notices and proceedings may be given by sticking up the same at the master's office.

X.—Any person elected to any municipal office may at any time after he is elected send or leave at the office of the master a writing, signed by him or on his behalf, appointing a person entitled to practise as an attorney in the Court of Common Pleas, to act as his agent in case there should be a petition against him, or stating that he intends to act for himself, and in either case giving an address within three miles from the General Post Office at which notices may be left, and in default of such writing being left in a week after service of the petition, notices and proceedings may be given and served respectively by sticking up the same at the master's office.

XI.—The master shall keep a book or books

at his office in which he shall enter all addresses and the names of agents given under either of the preceding rules, which book shall be open to inspection by any person during office hours.

XII.—The master shall, upon the presentation of the petition, forthwith send a copy of the petition to the town clerk, pursuant to section 13 of the act, sub-section (1), and shall therewith send the name of the petitioner's agent, if any, and of the address, if any, given as prescribed, and also of the name of the respondent's agent, and the address, if any, given as prescribed, and the town clerk shall forthwith publish those particulars along with the petition.

The cost of publication of this and any other matter required to be published by the town clerk shall be paid by the petitioner or person moving in the matter, and shall form part of the general costs of the petition.

XIII.—The time for giving notice of the presentation of a petition and of the nature of the proposed security, shall be five days, exclusive of the day of presentation.

XIV.—Where the respondent has named an agent or given an address, the service of a muni-

cipal election petition may be by delivery of it to the agent, or by posting it in a registered letter to the address given at such time that, in the ordinary course of post, it would be delivered within the prescribed time.

In other cases the service must be personal on the respondent, unless a judge at chambers on an application made to him not later than five days after the petition is presented on affidavit, showing what has been done, shall be satisfied that all reasonable effort has been made to effect personal service and cause the matter to come to the knowledge of the respondent, in which case the judge may order that what has been done shall be considered sufficient service, subject to such conditions as he may think reasonable.

XV.—In case of evasion of service the sticking up a notice in the office of the master of the petition having been presented, stating the petitioner, the prayer, and the nature of the proposed security, shall be deemed equivalent to personal service if so ordered by a judge.

XVI.—The deposit of money by way of security for payment of costs, charges and expenses payable by the petitioner, shall be made by payment into the Bank of England to an

account to be opened there by the description of "The Corrupt Practices Municipal Elections Act, 1872, Security Fund," which shall be vested in and drawn upon from time to time by the chief justice of the Common Pleas for the time being, for the purposes for which security is required by the said act, and a bank receipt or certificate for the same shall be forthwith left at the master's office.

XVII.—The master shall file such receipt or certificate, and keep a book open to inspection of all parties concerned, in which shall be entered from time to time the amount and the petition to which it is applicable.

XVIII.—The recognizance as security for costs may be acknowledged before a judge at chambers or the master in town, or a justice of the peace in the country.

There may be one recognizance acknowledged by all the sureties, or separate recognizances by one or more, as may be convenient.

XIX.—The recognizance shall contain the name and usual place of abode of each surety, with such sufficient description as shall enable

him to be found or ascertained, and may be as follows:—

Be it remembered that on the day of , in the year of our Lord 18 , before me [*name and description*] came A. B., of [*name and description as above prescribed*] and acknowledged himself [*or* severally acknowledged themselves] to owe to our sovereign lady the queen the sum of five hundred pounds [*or* the following sums], (that is to say) the said C. D. the sum of £ , the said E. F. the sum of £ , the said G. H. the sum of £ , and the said J. K. the sum of £ , to be levied on his [*or* their respective] goods and chattels, land and tenements, to the use of our said sovereign lady the queen, her heirs and successors.

The condition of this recognizance is, that if [*here insert the names of all the petitioners, and if more than one, add* or any of them] shall well and truly pay all costs, charges and expenses in respect of the election petition signed by him [*or* them] relating to the [*here insert the name of the borough*] which shall become payable by the petitioner [*or* petitioners, or any of them], under the Corrupt Practices Municipal Elections Act, 1872, to any person or persons, then this recognizance to be void, otherwise to stand in full force.

Signed,

[*Signature of Sureties.*]

Taken and acknowledged by the above-named [*name of sureties*] on the day of at

Before me, C. D.

A justice of the peace [*or as the case may be.*]

XX.—The recognizance or recognizances shall be left at the master's office by or on behalf of the petitioner in like manner as before prescribed for the leaving of a petition forthwith after being acknowledged.

XXI.—The time for giving notice of any objection to a recognizance under the 13th section of the act, sub-section (4), shall be within five days from the date of service of the notice of the petition and of the nature of the security, exclusive of the day of service.

XXII.—An objection to the recognizance must state the ground or grounds thereof, as that the sureties, or any and which of them, are insufficient, or that a surety is dead, or that he cannot be found, or that a person named in the recognizance has not duly acknowledged the same.

XXIII.—Any objection made to the security shall be heard and decided by the master, subject to appeal, within five days, to a judge, upon summons taken out by either party to declare the security sufficient or insufficient.

XXIV.—Such hearing and decision may be either upon affidavit or personal examination of witnesses or both, as the master or judge may think fit.

XXV.—If by order made upon such summons the security be declared sufficient, its sufficiency shall be deemed to be established within the

meaning of the 13th section of the said act, and the petition shall be at issue.

XXVI.—If by order made upon such summons an objection be allowed and the security be declared insufficient, the master or judge shall in such order state what amount he deems requisite to make the security sufficient, and the further prescribed time to remove the objection by deposit shall be within five days from the date of the order, not including the day of the date, and such deposit shall be made in the manner already prescribed.

XXVII.—The costs of hearing and deciding the objections made to the security given shall be paid as ordered by the master or judge, and in default of such order shall form part of the general costs of the petition.

XXVIII.—The costs of hearing and deciding an objection upon the ground of insufficiency of a surety or sureties, shall be paid by the petitioner, and a clause to that effect shall be inserted in the order declaring its sufficiency or insufficiency, unless at the time of leaving the recognizance with the master there be also left with the master an affidavit of the sufficiency of the surety or

sureties sworn by each surety before a justice of the peace, which affidavit any justice of the peace is hereby authorized to take, or before some person authorized to take affidavits in the Court of Common Pleas, that he is seised or possessed of real or personal estate, or both, above what will satisfy his debts, of the clear value of the sum for which he is bound by his recognizance, which affidavit may be as follows:—

In the Common Pleas.

Corrupt Practices (Municipal Elections) Act, 1872.

I, A. B., of [*as in recognizance*] make oath and say that I am seised or possessed of real [*or* personal] estate above what will satisfy my debts, of the clear value of £ .

SWORN, &c.

XXIX.—The order of the master for payment of costs shall have the same force as an order made by a judge, and may be made a rule of the Court of Common Pleas, and enforced in like manner as a judge's order.

XXX.—The master shall make out the municipal election list. In it he shall insert the names of the agents of the petitioners and respondent, and the addresses to which notices may be sent, if any. The list may be inspected at the master's office at any time during office hours, and shall be put up for that purpose upon a notice board

appropriated to proceedings under the said act, and headed "Municipal Election List."

XXXI.—The time of the trial of each municipal election petition shall be fixed by the election judges on the rota, or any one of them, who shall signify the same to the master, and notice thereof shall be given in writing by the master by sticking notice up in his office, sending one copy by post to the address given by the petitioner, another to the address given by the respondent, if any, and a copy by the post to the town clerk of the borough to which the petition relates, fifteen days before the day appointed for the trial.

The town clerk shall forthwith publish the same in the borough.

XXXII.—The sticking up of the notice of the trial at the office of the master shall be deemed and taken to be notice in the prescribed manner within the meaning of the act, and such notice shall not be vitiated by any miscarriage of or relating to the copy or copies thereof to be sent as already directed.

XXXIII.—The notice of trial may be in the following form:—

Corrupt Practices [Municipal Election] Act, 1872.
Election petition of
Borough of

Take notice that the above petition [*or* petitions] will be tried

at on the day of and on such other subsequent days as may be needful.

Dated the day of .

Signed by order,

A. B.,

The master appointed under the above act.

XXXIV.—A judge may from time to time, by order made upon the application of a party to the petition, or by notice in such form as the judge may direct to be sent to the town clerk, postpone the beginning of the trial to such day as he may name, and such notice when received shall be forthwith made public by the town clerk.

XXXV.—In the event of the barrister to whom the trial of the petition is assigned not having arrived at the time appointed for the trial, or to which the trial is postponed, the commencement of the trial shall *ipso facto* stand adjourned to the ensuing day, and so from day to day.

XXXVI.—No formal adjournment of the court for the trial of a municipal election petition shall be necessary, but the trial is to be deemed adjourned, and may be continued from day to day until the inquiry is concluded.

XXXVII.—The application to state a special case may be made by rule in the Court of Com-

mon Pleas when sitting, or by a summons before a judge at chambers, upon hearing the parties.

XXXVIII.—The title of the court, held for the trial of a municipal election petition, may be as follows:—

"Court for the trial of a municipal election petition for the borough of [*or as may be*] between petitioner and respondent:"

And it shall be sufficient so to entitle all proceedings in that court.

XXXIX.—An officer shall be appointed for each court for the trial of a municipal election petition by the election judges, at the time that they assign the petition to the barrister; such officer shall attend at the trial in like manner as the clerks of assize and of arraigns attend at the assizes.

Such officer may be called the registrar of that court. He, by himself, or in case of need, his sufficient deputy, shall perform all the functions incident to the officer of a court of record, and also such duties as may be prescribed to him.

XL.—The reasonable costs of any witness shall be ascertained by the registrar of the court, and the certificate allowing them shall be under his hand, unless the court shall otherwise order.

XLI.—The order of the court to compel the attendance of a person as a witness may be in the following form:—

Court for the trial of a municipal election petition for [*complete the title of the court*] the day of :

To A. B. [*describe the person*]. You are hereby required to attend before the above court at [*place*] on the day of at the hour of [*or* forthwith, *as the case may be*], to be examined as a witness in the matter of the said petition, and to attend the said court until your examination shall have been completed.

As witness my hand,

A. B.,
The barrister to whom the trial of the said petition is assigned.

XLII.—In the event of its being necessary to commit any person for contempt, the warrant may be as follows:—

At a court holden on at for the trial of a municipal election petition for the borough of before A. B., one of the barristers appointed for the trial of municipal election petitions, pursuant to "The Corrupt Practices (Municipal Elections) Act, 1872."

Whereas C. D. has this day been guilty, and is by the said court adjudged to be guilty, of a contempt thereof, the said court does therefore sentence the said C. D. for his said contempt to be imprisoned in the gaol for calendar months [*or as may be*], and to pay to our lady the queen a fine of £ , and to be further imprisoned in the said gaol until the said fine be paid. And the court further orders that the sheriff of the borough [*if any, or as the case be*], and all constables and officers of the peace of any county, borough or place where the said C. D. may be found, shall take the said C. D. into custody, and convey him to

the said gaol, and there deliver him into the custody of the gaoler thereof, to undergo his said sentence. And the court further orders the said gaoler to receive the said C. D. into his custody, and that he shall be detained in the said gaol in pursuance of the said sentence.

A. B.

Signed the day of

A. B.

XLIII.—Such warrant may be made out and directed to the sheriff, or other person having the execution of process of the superior courts, as the case may be, and to all constables and officers of the peace of the county, borough, or place where the person adjudged guilty of contempt may be found, and such warrant shall be sufficient without further particularity, and shall and may be executed by the persons to whom it is directed, or any or either of them.

XLIV.—All interlocutory questions and matters, except as to the sufficiency of the security, shall be heard and disposed of before a judge, who shall have the same control over the proceedings under the Corrupt Practices (Municipal Elections) Act, 1872, as a judge at chambers in the ordinary proceedings of the superior courts, and such questions and matters shall be heard and disposed of then by any judge at chambers.

XLV.—Notice of an application for leave to withdraw a petition shall be in writing and signed by the petitioners or their agent.

It shall state the ground on which the application is intended to be supported.

The following form shall be sufficient:—

Corrupt Practices (Municipal Elections) Act, 1872.

Borough of Petition of [*state petitioners*] presented day of .

The petitioner proposes to apply to withdraw his petition upon the following ground [*here state the ground*], and prays that a day may be appointed for hearing his application.

Dated this day of .

(Signed)

XLVI.—The notice of application for leave to withdraw shall be left at the master's office.

XLVII.—A copy of such notice of the intention of the petitioner to apply for leave to withdraw his petition shall be given by the petitioner to the respondent, and to the town clerk, who shall make it public in the borough to which it relates, and shall be forthwith published by the petitioner in at least one newspaper circulating in the place.

The following may be the form of such notice:—

Corrupt Practices (Municipal Elections) Act, 1872.

In the Election Petition for in which is petitioner and respondent.

Notice is hereby given, that the above petitioner has on

the day of lodged at the master's office notice of an application to withdraw the petition, of which notice the following is a copy [*set it out*].

And take notice, that by the rule made by the judges, any person who might have been a petitioner in respect of the said election may, within five days after publication by the town clerk of this notice, give notice in writing of his intention on the hearing to apply for leave to be substituted as a petitioner.

(Signed)

XLVIII.—Any person who might have been a petitioner in respect of the election to which the petition relates, may, within five days after such notice is published by the returning officer, give notice, in writing, signed by him or on his behalf, to the master of his intention to apply at the hearing to be substituted for the petitioner, but the want of such notice shall not defeat such application, if in fact made at the hearing.

XLIX.—The time and place for hearing the application shall be fixed by a judge, and whether before the Court of Common Pleas, or before a judge, as he may deem advisable, but shall not be less than a week after the notice of the intention to apply has been given to the master as hereinbefore provided, and notice of the time and place appointed for the hearing shall be given to such person or persons, if any, as shall have given notice to the master of an intention to apply to

be substituted as petitioners, and otherwise in such manner and at such time as the judge directs.

L.—Notice of abatement of a petition, by death of the petitioner or surviving petitioner, under section 17, sub-section (5), of the said act, shall be given by the party or person interested in the same manner as a notice of an application to withdraw a petition, and the time within which application may be made to the Court of Common Pleas or a judge at chambers, by motion or summons at chambers, to be substituted as a petitioner, shall be one calendar month, or such further time as upon consideration of any special circumstances the Court of Common Pleas or a judge at chambers may allow.

LI.—If the respondent dies, any person entitled to be a petitioner under the act in respect of the election to which the petition relates, may give notice of the fact in the borough by causing such notice to be published in at least one newspaper circulating therein, if any, and by leaving a copy of such notice signed by him or on his behalf with the town clerk, and a like copy with the master.

LII.—The manner and time of the respondent's giving notice that he does not intend to oppose

the petition, shall be by leaving notice thereof in writing at the office of the master signed by the respondents six days before the day appointed for trial exclusive of the day of leaving such notice.

LIII.—Upon such notice being left at the master's office, the master shall forthwith send a copy thereof by the post to the petitioner or his agent, and to the town clerk, who shall cause the same to be published in the borough.

LIV.—The time for applying to be admitted as a respondent in either of the events mentioned in the 18th section of the act shall be within ten days after such notice is given as hereinbefore directed, or such further time as the Court of Common Pleas or a judge at chambers may allow.

LV.—Costs shall be taxed by the master, or at his request by any master of a superior court, upon the rule of court or judge's order by which the costs are payable, and costs when taxed may be recovered by execution issued upon the rule of court ordering them to be paid; or, if payable by the order of a judge, then by making such order a rule of court in the ordinary way and issuing execution upon such rule against the person by whom the costs are ordered to be paid, or in case

there be money in the bank available for the purpose, then to the extent of such money by order of the chief justice of the Common Pleas for the time being, upon a duplicate of the rule of court.

The office fees payable for inspection, office copies, enrolment, and other proceedings under the act and these rules, shall be the same as those payable, if any, for like proceedings according to the present practice of the Court of Common Pleas.

LVI.—An agent employed for the petitioner or respondent shall forthwith leave written notice at the office of the master, of his appointment to act as such agent, and service of notices and proceedings upon such agent shall be sufficient for all purposes.

LVII.—No proceeding under the Corrupt Practices (Municipal Elections) Act, 1872, shall be defeated by any formal objection.

LVIII.—Any rule made or to be made in pursuance of the act, if made in term time shall be published by being read by the master in the Court of Common Pleas, and if made out of term by a copy thereof being put up at the master's office.

LIX.—All claims at law or in equity to money deposited or to be deposited in the Bank of England for payment of costs, charges and expenses payable by the petitioners pursuant to the 16th General Rule, made the 20th day of November, 1872, by the judges for the trial of election petitions in England, shall be disposed of by the Court of Common Pleas or a judge at chambers.

LX.—Money so deposited shall, if and when the same is no longer needed for securing payment of such costs, charges and expenses, be returned or otherwise disposed of as justice may require, by rule of the Court of Common Pleas or order of a judge at chambers.

LXI.—Such rule or order may be made after such notice of intention to apply, and proof that all just claims have been satisfied or otherwise sufficiently provided for, as the Court of Common Pleas or judge at chambers may require.

LXII.—The rule or order may direct payment, either to the party in whose name the same is deposited, or to any person entitled to receive the same.

LXIII.—Upon such rule or order being made, the amount may be drawn for by the chief justice of the Common Pleas for the time being.

LXIV.—The draft of the chief justice of the Common Pleas for the time being shall in all cases be a sufficient warrant to the Bank of England for all payments made thereunder.

LXV.—The barrister engaged may appoint a proper person to act as crier and officer of the court.

LXVI.—The shorthand writer to attend at the trial of a petition shall be the shorthand writer to the House of Commons for the time being, or his deputy, and the master shall send a copy of the notice of trial to the said shorthand writer to the House of Commons.

AMOTION.

It has been questioned whether the power of removal of a member of the corporation which existed in corporations created before the Municipal Corporations Act (1835) is retained to corporations created under the provisions of that act. Chief Justice Cockburn, however, remarked

in *Norton* v. *Mayor of Penzance* (*m*) that he saw no reason why the power should not still exist.

Baggs' case (*n*) is the leading case on this question of amotion. It was decided—1st. That the cause for disfranchising a burgess ought to be grounded upon an act which is against the duty of a burgess and against the public good of the borough; but words of contempt or *contra bonos mores*, although directed against the chief officer, are not good causes of disfranchisement. 2ndly. That no burgess can be disfranchised by the corporation unless they have authority to do it either by the express words of the charter or by prescription; if they have no such authority the party ought to be convicted by course of law before he can be removed.

Acting without qualification subjects the offender to a penalty of 50*l.*; and persons elected (being qualified) are liable to a fine (not exceeding 50*l.*), to be fixed by the bye-laws, for refusing to serve. The acceptance of office is testified by making and subscribing a declaration of acceptance, in the prescribed form, and undertaking faithfully to fulfil the duties; and if a person elected has not the rating qualification, he must

(*m*) Q. B., June 8, 1872.
(*n*) 11 Coke, 98 a.

declare that he is possessed of the property qualification, as mentioned at the beginning of this chapter.

Councillors are exempt from serving on county juries.

CHAPTER V.

THE POWERS AND DUTIES OF THE COUNCIL.

THE powers and duties of the council may be purely municipal or municipal and sanitary, but its separate action for municipal and for sanitary purposes is discontinued.

Its usual municipal officers will carry out the provisions of the sanitary acts in the borough, which the council will do in like manner to any other municipal business, sanitary matters being but an additional and not a separate function; consequently the town clerk will be the clerk for sanitary as well as for municipal purposes.

The usual officers appointed by town councils having a sanitary jurisdiction are the town clerk, treasurer, medical officer of health, surveyor, inspector of nuisances, collector, and town crier; but the council are in no way restricted, and may appoint such officers and servants as they may deem necessary, and their duties and conduct are to be regulated by the bye-laws of the council.

The first general business of the council (after the election of mayor and aldermen) is the appointment of committees for such purposes as

may be deemed necessary, the appointment of a watch committee (of which the mayor is an *ex officio* member) being imperative.

In most boroughs the following committees are elected, usually consisting of nine, with the mayor as *ex officio*, three forming a quorum, where not otherwise provided by statute or other competent authority:—(1) Watch committee, (2) estate and municipal buildings committee, (3) finance committee, (4) highways, pavement, and lighting committee, (5) sanitary, sewage, nuisance removal, and contagious diseases (animals) committee, (6) general purposes committee.

The council may from time to time appoint as many of their own number as they think fit, for any purposes under the local government acts which they think would be better managed by a committee. The acts of the committee must be submitted to the council for approval (*a*).

The council may appoint a committee of their own body under the Nuisances Removal Acts. Two members form a quorum, and the committee is empowered to receive notices, take proceedings, and in all or certain specified respects carry out these acts. This committee may in each particular case, by a written order signed by its chair-

(*a*) 11 & 12 Vict. c. 63, s. 36.

man, empower any one to make complaint and take proceedings under these acts on their behalf (*b*).

By "Nuisances Removal Acts" are meant:—18 & 19 Vict. c. 121; 23 & 24 Vict. c. 77; 26 & 27 Vict. c. 117; 29 & 30 Vict. c. 41; 29 & 30 Vict. c. 90, Part II.

For the transaction of general business the council must meet quarterly, viz., at noon on 9th November, and at such hour on such other three days before the following 1st November as the council may at the quarterly meeting in November decide; and such and all meetings of the council may from time to time be adjourned by a majority of those present. A special meeting may at any time be called by the mayor, by a three clear days' signed notice on the town hall, which notice must be followed up by the town clerk issuing his summons to the council, specifying the business to be considered.

Five of the council may request the mayor to call a meeting, and on refusal may call it themselves by a signed notice, specifying the business to be transacted.

Not less than one-third of the whole council must be present to constitute a valid meeting, and

---

(*b*) 18 & 19 Vict. c. 121, s. 5.

everything must be decided by an actual majority of members present; the general rule that where persons present do nothing, or merely dissent, lose their votes, and are regarded as leaving the business to be done by the minority, not applying to municipal meetings. When a member does not wish to vote, on either side, he should go out of the room, leaving those willing to vote to dispose of the business. Of course when a statute requires a majority, consisting of a specified proportion of the votes or persons present, there must be the specified proportion of those present actually voting.

The powers of the council as urban sanitary authority comprise all the powers, rights, duties, liabilities and obligations within their district exerciseable by, or attaching to, a local board under the Local Government Acts, by and to the sewer authority under the Sewage Utilization Acts, by and to the nuisance authority under the Nuisances Removal Acts, and by and to the local authority under the Common Lodging Houses Acts, the Artizans and Labourers Dwellings Act, and the Bakehouse Regulation Act, or by any act amending such acts.

Where the Baths and Washhouses Acts, and the Labouring Classes Lodging Houses Acts, or any of them, are in force within the district of an urban sanitary authority, the authority have all

the powers, rights, duties, liabilities and obligations in relation to those acts exerciseable by or attaching to the council, incorporated commissioners, local board, improvement commissioners, and other commissioners or persons acting in the execution of the acts.

Where the Baths and Washhouses Acts are not in force within the district of an urban sanitary authority, such authority may adopt them, and where the Labouring Classes Lodging Houses Acts are not in force within the district, the authority may adopt them also (*c*).

By "Local Government Acts" are meant—11 & 12 Vict. c. 63; 21 & 22 Vict. c. 98; 24 & 25 Vict. c. 61; 26 Vict. c. 17, and any enactments amending the same.

By "Sewage Utilization Acts" are here meant —28 & 29 Vict. c. 75; 29 & 30 Vict. c. 90; 30 & 31 Vict. c. 113; 31 & 32 Vict. c. 115; 32 & 33 Vict. c. 100; 33 & 34 Vict. c. 53.

By "Nuisances Removal Acts" are here meant —18 & 19 Vict. c. 121; 23 & 24 Vict. c. 77; 26 & 27 Vict. c. 117; 29 & 30 Vict. c. 41; 29 & 30 Vict. c. 90.

By "Common Lodging Houses Acts"—14 & 15 Vict. c. 28; 16 & 17 Vict. c. 41.

(*c*) 35 & 36 Vict. c. 79, s. 7.

By "Artizans and Labourers Dwellings Act" —31 & 32 Vict. c. 130.

By "Bakehouse Regulation Act"—26 & 27 Vict. c. 40.

By "Baths and Washhouses Acts"—9 & 10 Vict. c. 74; 10 & 11 Vict. c. 61.

By "Labouring Classes Lodging Houses Acts" —14 & 15 Vict. c. 34; 29 & 30 Vict. c. 28; 30 & 31 Vict. c. 28.

Also by "Sanitary Acts" all the above acts, and "The Diseases Prevention Act," 18 & 19 Vict. c. 116, amended by 23 & 24 Vict. c. 77, ss. 10, 12.

"The Public Health Act, 1872"—35 & 36 Vict. c. 79.

"The Sanitary Laws Amendment Act, 1874" —37 & 38 Vict. c. 89.

All powers given by the Sewage Utilization Act, 1865; the Sanitary Act, 1866; the Sewage Utilization Act, 1867; the Sanitary Act, 1868; the Public Health Act, 1872, and the Sanitary Laws Amendment Act, 1874, are deemed to be in addition to, and not in derogation of, any other powers conferred by act of parliament, law or custom, and such other powers may be exercised as if such acts had not passed (*d*).

(*d*) 28 & 29 Vict. c. 75, s. 13; 29 & 30 Vict. c. 90, s. 55; 30

From the first meeting of the council, all such property, real and personal, including all interest, easements and rights in and to property (including things in action), as belongs to, or would, but for the Public Health Act, 1872, have belonged to any authority whose powers, rights, duties, liabilities and obligations are transferred to the council, have, so far as the property is applicable to the purposes of their powers, rights, duties, liabilities or obligations passed to the council, subject to all liabilities and obligations affecting the property transferred.

Liabilities and obligations incurred in respect of property thus transferred may be enforced against the council to the extent, and in the manner they might have been enforced against the authority from which the transfer has taken place. This last authority is deemed discharged from these liabilities and obligations.

Property thus transferred to the council must be held by them upon trust for the district, or several parishes or places within their jurisdiction to which it belonged, or for the benefit of which it was held previously to its transfer (*e*).

Upon the application of an authority from

& 31 Vict. c. 113, s. 19; 31 & 32 Vict. c. 115, s. 9; 35 & 36 Vict. c. 79, s. 59.

(*e*) 35 & 36 Vict. c. 79, s. 9.

whom, or to whom, powers, rights, duties, liabilities, obligations and property, or any of them, are thus transferred, or alleged to be transferred, or of any person affected by the transfer, the local government board may, by order, settle any doubt or difference, and adjust any accounts arising out of these powers, &c., or the transfer of them. They may direct the parties by whom, and to whom, money found to be due is to be paid, and the mode of raising the money.

Any provisions contained in an order so made are deemed within the powers thus conferred, subject to this proviso, that where the order directs a rate to be made, or anything to be done, which the party required to do it would not, apart from the provisions of the Public Health Act, 1872, have been enabled to do by law, the order is provisional only until it has been confirmed by parliament (*f*).

Doubts having arisen as to the extent and meaning of the seventh section of the Public Health Act, 1872, it is enacted, that the provisions of the said section shall be deemed to have applied to every authority acting at the time of the passing of that act under the powers conferred upon them by a local act with respect to any sani-

(*f*) 35 & 36 Vict. c. 79, s. 39.

-tary purposes, and that all the powers, rights, duties, capacities, liabilities, and obligations of any authority having jurisdiction under a local act in the district of an urban sanitary authority at the time of the passing of the Public Health Act, 1872, so far as they or any of them related to such purposes, were transferred to and became attached to the urban sanitary authority therein referred to.

Where any body of turnpike trustees have powers for any such sanitary purposes as aforesaid under a local act, such trustees shall not be deemed to be an urban sanitary authority, but all their powers and obligations under such acts for such purposes shall be transferred to the council within whose borough the area to which the local act applies shall be locally contained.

All acts, matters, rates, orders, or other things heretofore done, performed, assessed, or made by any authority under any local act, or commenced and not completed by October, 1874, shall be legal, if not otherwise invalid.

It is also enacted, that the transfer of property provided for in section nine of the Public Health Act, 1872, applies to the property of the authority acting under the powers conferred upon them by a local act for sanitary purposes, so far as such property is held for such purposes.

Provided that the dealing of any such authority with property previously vested in them before the passing of the Sanitary Act, 1874, and not then brought into question in any court of law, shall be valid, notwithstanding the Public Health Act, 1872, or this section (*g*).

By the Contagious Diseases (Animals) Act, 1869, the council is constituted the local authority to carry out the provisions of the act; and by the Elementary Education Act, 1870, a borough is a district for which a school board may be formed.

WATER SUPPLY.

The council has power to provide a sufficient supply of water for the borough, and for private use; for which purposes the council may contract with any person for not more than thirty years, or may purchase, hire, construct, or maintain waterworks; or it may provide a supply of water by digging wells, making and maintaining reservoirs, and doing any other necessary acts. The council have the same powers for carrying mains through the borough as they have for carrying sewers (*h*).

(*g*) 37 & 38 Vict. c. 89, ss. 3, 4.
(*h*) 29 & 30 Vict. c. 90, s. 11.

If the council cannot agree as to price with the company contracting to supply the borough with water, then the price is to be settled by arbitration under the Lands Clauses Consolidation Act. Any waterworks company may sell their property and rights connected therewith to the council.

"Waterworks" includes streams, springs, wells, pumps, reservoirs, cisterns, tanks, aqueducts, cuts, sluices, mains, pipes, culverts, engines, and all machinery, lands, buildings, and things for supplying or used for supplying water, also the stock in trade of any waterworks company.

"Waterworks company" means any corporation, person, or company of persons, supplying water for their own profit (*i*).

Should the council determine to construct waterworks of their own, notice must be given to any company which supplies water to the borough. They must state the purpose for and (as far as practicable) the extent to which water is required by them, and they cannot legally construct waterworks if the company is able and willing to lay on water sufficient for all reasonable purposes upon terms to be settled by arbitration.

The council must cause all existing public cisterns, pumps, wells, conduits, and other water-

---

(*i*) 11 & 12 Vict. c. 63, s. 2.

works used for the gratuitous supply of water to the inhabitants within the limits of their district, to be continued, maintained, and supplied with water, or they must substitute other works equally convenient, and cause them to be maintained and supplied with water. These public cisterns and other works are vested in the sanitary authority, and are under their management and control.

They may also construct new pumps for gratuitous use.

If any house in the borough appear to be without a supply of water, and the supply can be furnished at the rate of 2*d.* per week, the council may give notice to the owner to complete the necessary supply, and in default the council may themselves do the work and recover the expenses in a summary manner as private improvement expenses.

Water may be supplied for any purpose; fire-plugs are to be made and properly marked.

Any person polluting the stream or reservoirs, or injuring the works or pipes, is liable to a penalty of £5, and 20*s.* each day the offence is continued.

Persons fouling water under the control of the council by gas forfeit £20 for each offence, and £10 each day the offence is continued.

The council may, subject to the provisions of the sanitary acts, buy up any water mill, dam or weir which interferes with the proper drainage of

or the supply of water to the borough, and may, for the purpose of supplying the borough with water for drinking and domestic purposes, purchase, either within or without the borough, any land covered with water, or any water or right to take or convey water; and for the purpose of buying up any of the properties aforesaid, the Lands Clauses Consolidation Act, 1845, and any act amending the same, shall be incorporated with these provisions, but the compulsory powers of purchase contained in the said Lands Clauses Act shall not be exercised except in pursuance of a provisional order of the local government board (*k*).

The Lands Clauses Consolidation Act, 1845, may, when put in force under any provision of the sanitary acts, be applied to all land, easements, and rights in, over, or upon land, whether situated within or without the district of the sanitary authority (*l*).

Any person wilfully fouling water with gas forfeits for every offence £200 to the person whose water has been fouled. If there be no person to proceed, then the council may give notice of their intention to proceed to recover the penalty of £200; £20 in addition may be recovered for each day on which the offence is committed after notice.

(*k*) 37 & 38 Vict. c. 89, s. 33.
(*l*) Ibid. s. 31.

AS TO DRAINAGE.

The sewers within the borough belong to and are entirely under the management and control of the council, and it is the duty of the council to maintain and cleanse the same, and from time to time to construct such others as may be necessary for effectually draining the borough.

Sewers made by companies for profit, sewers under a local act, and sewers under commissioners, are not under the control of the council.

Sewers constructed for purposes of outfall within the borough by another sanitary authority remain their property.

The council is not to allow the sewage or refuse water to flow into any watercourse. Works for irrigation may be constructed outside the borough after three months' notice, and arrangements may be made with adjacent sanitary authorities for the disposal of the sewage.

The council may require the owner of any house without a sufficient drain, to make one emptying into any public sewer within 100 feet of the site of the house, and, if there is no such sewer, into a covered cesspool.

No person is to build over a sewer without consent, and no house is to be erected without having a covered drain first constructed.

The council may purchase lands and buildings for distributing or storing the sewage of the borough.

It is the duty of the council to provide that all waterclosets, privies, cesspools and ashpits be constructed and kept so as not to be a nuisance. The surveyor may, by written authority of the council granted upon the written application of any person showing that a drain, watercloset, privy, cesspool or ashpit is a nuisance, and after twenty-four hours' notice in writing, or in case of emergency without notice, to the occupier of the premises, enter the premises, with or without assistants, and open the ground, and examine and lay open the drain, watercloset, privy, cesspool or ashpit.

No house is to be erected without a sufficient water-closet and ashpit; earth closets may be constructed instead of water-closets.

Factories are to be provided with water-closets for both sexes.

Ditches and offensive ponds are to be covered or filled up; heaps of filth and manure to be removed and sold if allowed to remain after notice, and expenses not covered by the sale are to be recovered in a summary manner.

If boundary ditches become offensive, a justice of the peace for the adjoining district, at the instance of the council, will summon the sanitary

authority of that district and order the ditch to be cleansed.

The council may undertake or contract for:—

The cleansing and watering of streets;

The removal of house refuse;

And the cleansing of privies, ashpits and cesspools.

Houses in an unwholesome condition may be purified.

HIGHWAYS.

The council have the control of all highways and streets within the borough. The inhabitants of the borough are not liable, in respect of property within it, to the payment of highway rate, or other payment (not being a toll), for making or repairing roads or highways beyond the limits of the district.

The council have, within the borough, the powers and discretion given to parish vestries by the 5 & 6 Will. 4, c. 50 (Highway Act, 1835).

The council may arrange with persons and companies for the construction of roads, bridges and viaducts.

The pavements provided for the purposes of the streets belong to the council, and it is their duty to flag and repair the streets, as occasion

may require. Streets which are not highways, and are out of repair, are to be repaired by the owners or occupiers fronting on the same, on notice from the council requiring them to do so; plans showing the required repairs to be deposited for inspection at the town clerk's office. The council are to name streets, number houses, to regulate the erection of new buildings.

The council may require new buildings, which project so as to form an obstruction, to be set back, and no work for which a notice, plan or description is required by any bye-law legally made and confirmed under any statute in that behalf to be laid before the council shall be commenced before the expiration of one month from the day on which the said notice, plan or description shall have been delivered to such authority at their office, or at the office of their surveyor, nor at all if the said authority give notice of disapproval within one month from the day of such delivery, unless the person proposing to execute the work can show that the same is in every respect conformable to every such bye-law, as well as to the general law applicable to it (*m*).

The council may contract with any company, for a period not exceeding three years, for a sup-

(*m*) 37 & 38 Vict. c. 89, s. 41.

ply of gas, or other means of lighting the streets and public places, and may provide posts and other material necessary for that purpose (*n*).

The expenses incurred are defrayed out of the borough rate. The gas supply is regulated by 10 Vict. c. 15 and 34 & 35 Vict. c. 41, the Gasworks Clauses Acts; and 33 & 34 Vict. c. 70, the Gas and Waterworks Facilities Act.

As a rule, the gas is in the hands of companies formed under a special act for the purpose of supplying a district. The council may purchase any existing gasworks, or obtain a special act and supply the borough with gas, where no company exists with power to supply gas.

The council are to regulate the traffic in times of public rejoicings and during divine service, to fix the route to stage coaches, and to make provisions as to the impounding of stray cattle (*o*).

Persons who in any street, to the obstruction, annoyance or danger of the residents or passengers, commit any of the following offences, are liable to a penalty not exceeding 40*s*. for each offence, or, in the discretion of the convicting justices, may be committed to prison for a period not exceeding fourteen days.

(*n*) 12 & 13 Vict. c. 94, s. 8.
(*o*) 10 & 11 Vict. c. 84.

The offences are—

Exposing for show, hire, or sale (except in a lawfully appointed market or fair), horses or other animals; exhibiting shows or public entertainments; shoeing, bleeding, or farrying horses or animals (except in cases of accident); cleaning, dressing, exercising, training, or breaking, or turning loose horses or animals; making or repairing any part of a cart or carriage (except in cases of accident where repair on the spot is necessary):

Suffering unmuzzled ferocious dogs to be at large; urging dogs or other animals to attack or worry persons or animals:

Suffering their dogs to go at large, when knowing or having reasonable ground for believing them to be rabid, or to have been bitten by a dog or other animal in a rabid state:

Suffering dogs to be at large during the time specified in a justice's public notice directing dogs to be confined on suspicion of canine madness:

Slaughtering or dressing cattle, except in the case of over-driven cattle which have met with an accident, and which for public safety or other reasonable cause ought to be killed on the spot:

Riding on the shafts of a waggon, cart or car-

riage under their care; riding on a waggon, &c., or on any animal drawing it, without having reins and holding them; being at such a distance from the waggon, &c. as not to have due control over every animal drawing it; not keeping the waggon, &c. to the left or near side in meeting another carriage; not keeping the waggon, &c. on the right or off side in passing another carriage (except in cases of necessity, or sufficient reason for deviation); or obstructing the street and wilfully preventing any person or carriage from passing them, or any waggon, &c. under their care:

Driving at one time more than two carts or waggons; driving two carts or waggons without the halter of the horse in the last cart or waggon being securely fastened to the back of the first cart or waggon, or with the halter of a greater length than four feet from the fastening to the horse's head:

Furiously riding or driving horses or carriages, or furiously driving cattle:

Causing public carriages, sledges, trucks, or barrows (with or without horses), or beasts of burden, to stand longer than is necessary for loading or unloading goods, or for taking up or setting down passengers (except hack-

ney carriages, and horses and other beasts of draught or burden standing for hire in any appointed place); wilfully interrupting public crossings, or wilfully causing obstruction in public footpaths or thoroughfares:

Causing trees, timbers, or iron beams to be drawn in or on carriages, without having sufficient means for safe guidance:

Leading or riding horses or other animals, or drawing or driving carts, carriages, sledges, trucks or barrows upon the footway, or fastening horses or other animals so as to stand across or upon the footway:

Placing or leaving furniture or goods, casks, tubs, baskets, pails, or buckets; or placing or using standings, stools, benches, stalls, or showboards on the footway; placing blinds, shades, coverings, awnings, or other projections over or along the footway, unless the projection is eight feet in height at least from the ground:

Exposing goods to sale so as to project into or over the footway, or beyond the line of the house, shop, or building at which they are exposed, and so as to obstruct or incommode passengers:

Rolling or carrying casks, tubs, hoops or wheels, ladders, planks, poles, timbers or logs

upon the footway (except for the purpose of loading or unloading any cart or carriage, or of crossing the footway):

Placing lines, cords or poles across the street, or hanging clothes on them:

Loitering and importuning by prostitutes for the purposes of prostitution:

Wilfully and indecently exposing the person:

Publicly offering for sale or distribution, or exhibiting profane, indecent or obscene books, papers, prints, drawings, paintings or representations; singing profane or obscene songs, or using profane or obscene language:

Wantonly discharging fire-arms; throwing or discharging stones or other missiles; making bonfires, or throwing or setting fire to fireworks:

Wilfully and wantonly disturbing inhabitants by pulling or ringing door-bells or knocking at doors, or wilfully and unlawfully extinguishing the lights of lamps:

Flying kites, or making or using slides upon ice or snow:

Cleansing, hooping, firing, washing or scalding casks or tubs; hewing, sawing, boring or cutting timber or stone, or slacking, screening or sifting lime:

Throwing or laying down any materials (except

building materials so enclosed as to prevent mischief to passengers):

Beating or shaking carpets, rugs, or mats (except door-mats before 8 a.m.):

Fixing or placing flower-pots or boxes, or other heavy articles, in upper windows without a sufficient guard against their being blown down:

Throwing anything from any part of a building (except snow thrown so as not to fall on passengers):

Ordering or permitting persons in their service to stand on window-sills for cleaning or other operations upon the outside of the windows or on any building (unless the window be in the basement):

Leaving open vaults, cellars or the entrances from the street to underground cellars or rooms without a sufficient fence or handrail; leaving defective the covering of vaults or cellars; not sufficiently fencing areas, pits or sewers left open; or leaving open areas, pits or sewers without sufficient light after sunset to warn and prevent persons from falling into them:

Throwing or laying dirt, litter, ashes, nightsoil, carrion, fish, offal or rubbish in the street; causing offensive matter to run from a manu-

factory, brewery, slaughter-house, butcher's shop or dunghill into the street;

But sand or other materials may be laid in a street in time of frost to prevent accidents, or litter or other suitable materials to prevent the freezing of water in pipes, or in case of sickness to prevent noise, if the party laying them down causes them to be removed as soon as the occasion for them ceases:

Keeping pigstyes to the front of a street, not being shut out from the street by a sufficient wall or fence; or keeping swine in or near the street, so as to be a common nuisance (*p*):

Persons drunk and guilty of riotous or indecent behaviour in a street, and persons guilty of violent or indecent behaviour in a police office or station-house within the district, are liable to a penalty not exceeding forty shillings for every offence, or, in the discretion of the convicting justice, to imprisonment for a period not exceeding seven days (*q*).

The council, as sanitary authority, must make an annual report, in the form and at the time directed by the local government board, of all works executed by them during the pre-

(*p*) 10 & 11 Vict. c. 89, s. 28.
(*q*) Ibid. s. 29.

ceding year, and of all sums received and disbursements made, for the purposes of the local government acts. They must publish it in some newspaper circulating in the district, and send a copy to the local government board (r).

The council may, with consent of two-thirds of its members,—

Provide a market place, and market house with other conveniences, for holding markets:

Provide places for weighing carts:

Make convenient approaches to the market;

Provide all things necessary for the convenient use of the market:

Purchase or take on lease land, rights in markets, and tolls, for any of the above purposes:

Take stallages, rents, and tolls for the use of the market house.

But no market or slaughter-house can be established so as to interfere with rights, powers or privileges enjoyed within the district by any person, chartered joint stock or incorporated company without his or their consent.

To enable the council to establish markets, or to regulate markets already established in a corporate borough before it was constituted the sanitary authority, the following provisions of

(r) 21 & 22 Vict. c. 98, s. 76.

"The Markets and Fairs Clauses Act, 1847," so far as they relate to markets, are incorporated with the Local Government Act, 1858, as to:—

The holding and protection of the market;

The weighing of goods and carts;

Stallages, rents, and tolls; and

Bye-laws.

But tolls leviable by the council as sanitary authority must be approved by the local government board (*s*).

The council may purchase of market companies markets under their control.

Common lodging-houses, artizans and labourers' dwellings, places of public resort, public pleasure grounds, bathing places, washhouses, slaughter-houses, mortuaries, hospitals, bakehouses, steam whistles, and hackney carriages are under the supervision of the council.

The council may, after petition to the local government board, put in force their powers under the Lands Clauses Consolidation Acts with respect to the purchase and taking of lands otherwise than by agreement.

Legal proceedings by the council as sanitary authority must be commenced within six months next after the accrual of the cause of action.

(*s*) 21 & 22 Vict. c. 98, s. 50.

The council must provide and maintain the offices necessary for transacting their business and that of their officers and servants, and may procure or have prepared a map exhibiting a system of sewerage for effectually draining their district. It must be kept at the office of the council and open to the inspection of the burgesses.

The expense of surveys, maps or plans is to be defrayed out of the borough rate (*t*).

The proceedings of the council as a sanitary authority are regulated by the Municipal Corporations Act.

Should any complaint be made to the local government board of the council as defaulting sanitary authority, the board may make an order against the council and recover any expenses incurred by their default out of moneys in their hands.

The expenses of the council as sanitary authority are defrayed out of the borough rate or fund.

Under the Working Men's Dwellings Act, 1874, municipal corporations, with land suitable for working men's dwellings, may, with approval of the treasury, lease the same for 999 years, or a less term, and may construct and lay out drains and roads for the purpose.

The Libraries Act may be adopted by the

(*t*) 11 & 12 Vict. c. 63, ss. 41, 42.

council after a resolution has been passed by a majority of the burgesses assembled at a public meeting.

If the council is desirous that a separate court of quarter sessions of the peace should be holden in their borough, they proceed by petition to her majesty in council, setting forth the grounds of the application, the state of the gaol, if any, and the salary which they are willing to pay to a recorder (*u*).

The council may petition for a separate commission of the peace (*x*).

By 36 & 37 Vict. c. 33, the Municipal Corporations Evidence Act, 1873, the production of a printed copy of bye-laws, authenticated by the seal of the borough, shall be evidence of the existence and due making of such bye-laws until the contrary be proved.

Minutes of proceedings at council or committee meetings, if signed by the mayor or chairman, shall be receivable as evidence, and the meetings shall be deemed to have been duly convened.

The Petroleum Act, 1871, which is in force until the 1st October, 1874, and the end of the

---

(*u*) 5 & 6 Will. 4, c. 76, s. 103; 5 & 6 Vict. c. 98; 28 & 29 Vict. c. 126.

(*x*) 5 & 6 Will. 4, c. 76, s. 98.

then next session, prohibits any person within the borough from keeping or selling petroleum, except in pursuance of a licence granted by the council.

Petroleum, for the purposes of the act, includes any rock oil, Rangoon oil, Burmah oil, oil made from petroleum, coal, schist, shale, peat or other bituminous substance, and any products of petroleum, or any of the above mentioned oils, which, when tested in the manner directed by the act (*y*), gives off an inflammable vapour at a temperature of less than 100 degrees of Fahrenheit's thermometer. All petroleum comes within the act, although not giving off an inflammable vapour under 100 degrees Fahrenheit (*z*).

The act does not apply to persons keeping or selling the oil when it is kept in separate vessels, which do not contain more than a pint, and when the whole quantity so kept does not exceed three gallons; nor does the act apply to oil until it has been imported seven days.

Licences are to be signed by two or more members of the council; they may be granted for a limited time and subject to renewal, and conditions as to storage may be annexed. If a licence be refused, or unsatisfactory conditions annexed,

---

(*y*) *See* Appendix.

(*z*) *Jones* v. *Cook*, 40 L. J., M. C. 174; 6 L. R., Q. B. 505.

the applicant may demand from the council a certificate setting out the grounds on which the licence is refused, or the conditions annexed. The applicant may transmit the certificate to a secretary of state, praying that the licence may be granted, or that the conditions may be modified, and the secretary of state may grant the licence prayed for or modify the annexed conditions.

An inspector, authorized by the council, may obtain samples from any dealer in petroleum, and test the same in the manner directed by the act (*a*), and take proceedings before two or more justices of the peace sitting in petty sessions, or before a stipendiary magistrate.

It is a question of fact for the court whether the statutory mode of testing the petroleum has been carried out (*b*).

Where by information on oath the court is satisfied that petroleum is kept contrary to the provisions of the act, they may grant a search warrant, whereon the premises of the suspected person shall be searched, and all petroleum found may be removed and detained to await the order of the court.

Dealers in petroleum refusing to permit the

(*a*) *See* Appendix.

(*b*) *Beck* v. *Stringer*, 40 L. J., M. C. 174.

inspector to see the vessels containing the oil, or to take samples thereof, are liable to a penalty of twenty pounds.

Where petroleum is kept, sent or conveyed by land or water, sold or exposed for sale, the vessel containing it shall have a label attached thereto describing the oil, and in addition the words "highly inflammable," together with the name of the owner, seller or sender, as the case may be; for each offence against this provision the offender may be fined five pounds.

All petroleum kept without a licence shall, together with the vessel containing the same, be forfeited, and in addition thereto the occupier of the place in which such petroleum is so kept shall be liable to a penalty not exceeding twenty pounds a day during which such petroleum is so kept.

Harbour authorities are to submit bye-laws to the Board of Trade for regulating the mooring of ships carrying petroleum and storing the same when landed. Owners, masters or owners of cargo, as the case may be, are liable to a penalty of fifty pounds for infringing this provision.

No penalty imposed under the act shall exceed fifty pounds (*c*).

The council may require a registrar of deaths

(*c*) 34 & 35 Vict. c. 105.

to certify under his hand a true return of such of the particulars registered by him concerning any death as may be specified in the requisition of the council; the council may supply a form for the purpose of the return, and shall pay to the registrar a fee of twopence for the return and twopence for each death entered in such return (*d*).

(*d*) The Registration of Births and Deaths Act, 1874.

CHAPTER VI.

ELECTION AND DUTIES OF AUDITORS.

On the 1st March in every year the burgesses are to elect, by a majority of votes, from persons qualified to be councillors, two persons as auditors of the borough, who will continue in office for a year. Members of the council, the town clerk, and the treasurer, are ineligible.

No burgess can nominate or vote for more than one person; it would seem that outgoing auditors may be re-elected.

A declaration of acceptance of office, similar to that by a councillor, must be made; and a fine attaches for not acting, or for acting without qualifying or being qualified.

The exemptions from serving are the same as in the case of a councillor, and the mode of nomination and election is also the same.

Should an extraordinary vacancy occur, the mayor is to fix a day, not later than ten days after notice to him, or the town clerk, by two burgesses, for a new election, which will be conducted in the same way as the original election.

In addition to the elective auditors, the mayor is to select one from the council to act with them. The duties of the auditors are to audit the treasurer's accounts in March and September of each year, and, if found correct, to sign and pass them.

The accounts of the receipts and expenditure of the council, as sanitary authority, must be audited and examined by the auditors of the borough, and published in like manner and at the same time as the municipal accounts. The auditors must proceed in the audit, after like notice, and in like manner, with like powers, authorities and duties, as in the case of auditing the municipal accounts.

In respect of each audit they must be paid, out of the general district rates, such reasonable remuneration, not being less than 2*l.* 2*s.* for every day in which they are employed in the audit, as the council from time to time appoint. An order of the council, as sanitary authority, for the payment of money may be removed by certiorari, and like proceedings may be had thereon, as under the 1 Vict. c. 78, s. 44, with respect to orders of the council of a borough for payments out of the borough fund (*a*).

(*a*) 21 & 22 Vict. c. 98, s. 60.

CHAPTER VII.

THE ASSESSORS.

Two assessors are to be chosen at the same time and in the same way as the auditors. A declaration of acceptance of office must be made by them.

Each assessor must in writing appoint a deputy, and cause the appointment to be entered on the council's minutes.

An extraordinary vacancy is filled up as in the case of auditors; the penalties and exemptions are the same. The duty of the assessors is to assist the mayor in revising the burgess lists. The office is honorary.

CHAPTER VIII.

OF THE TOWN CLERK AND HIS DUTIES (*a*).

THIS officer may be an attorney or barrister, but is usually the former; he will also be sanitary clerk.

His term of office is during the pleasure of the council, and his salary such as the council may fix as being reasonable.

Although the separate action of the council for municipal and sanitary purposes is (since the Public Health Act) to be discontinued, the clerk's duties may be distinguished as:—1. Municipal; 2. Sanitary.

His municipal duties are:—

To cause the burgess lists to be printed and published, and to supply copies;

To receive notices of objections and claims,

(*a*) In boroughs where there are freemen he is required to keep the "freemen's roll," by which copies are to be kept by him for sale, and to which additions and reductions can be made on claims and objections, which are to be examined and decided by the mayor, with reference to the charter and the local customs and usages of each particular borough. 5 & 6 Will. 4, c. 76, ss. 2, 3, 4 and 5, and 1 & 2 Vict. c. 35.

make lists thereof, and give inspection, and publish, and provide copies of the same for sale;

To attend the revising court, produce thereat the lists of objections and claims, and when they have been revised, cause the burgesses' names to be numbered and copied alphabetically in a book, which will form the burgess roll of the borough.

He must cause sufficient copies of the roll, divided into ward lists, to be printed for sale.

It will be his duty to give seven clear days' notice of the day fixed for the election of councillors, auditors, and assessors; and, by the same notice, require nominations to be delivered to him two clear days before the day of election:

To have printed, and (in like manner to the notice of election) publish the names and abodes of persons nominated; and assist the aldermen in their arrangements for elections;

To keep the nomination and ballot papers after each election;

To summon the council to all meetings, and attend the same and take minutes of all proceedings;

To make a yearly abstract of the treasurer's account when audited, and have same printed for inspection and sale;

To attend committee meetings when required;

To act as general adviser of the mayor and of the council; and in case of death, resignation, or lawful removal of the mayor, to convene a meeting of the council, within ten days, to supply the vacancy.

The charter, deeds, records and seal of the borough will be in his custody.

The seal should be attached to all contracts, and the appointment of officers should be under seal. The seal is proved by showing that the seal in question is that of the corporation (*a*).

Under the sanitary authority, it will be his duty:

To prepare the sanitary and other bye-laws required by the various acts investing the council with jurisdiction;

To convene and attend all meetings, and record the proceedings in specified form;

To prepare all checks, and countersign and deliver same, and file all vouchers relating thereto;

To keep an account of moneys supplied to the surveyor or inspector, and of all penalties and moneys payable to the council;

To keep a ledger, and enter all financial transactions in specified form;

(*a*) *Morris* v. *Thornton*, 3 Esp. 4.

To annually allocate the expenditure under separate heads;

To prepare a debtor and creditor summary for audit, and give notice of audit;

To conduct the correspondence of the council, and communicate its orders to the other officers, and report on any failures and neglect in the performance of their duties;

To prepare and approve all contracts and documents; superintend the making out of the rate estimates; prepare licences respecting slaughterhouses and knackers' yards, and the keeping of petroleum, and register the same; and perform all other matters applicable to his office in relation to the sanitary acts of the council.

The town clerk's salary is to be paid out of the borough fund.

Writs issued against the corporation may be served on the town clerk (*b*).

(*b*) If a *mandamus* be issued it will be served on the town clerk. A *mandamus* is a writ issued from the Queen's Bench directed to the corporation, and requiring them to do some particular act therein specified. The relief is granted only in cases where an action does not lie; as, for instance, to compel the corporation to affix the seal to a deed, or to proceed to the election of an officer, or to place a person on the burgess list. A rule is first obtained by moving in the Queen's Bench (supported by affidavit); the rule calls upon the corporation to show cause why the writ of *mandamus* should not issue; if no suffi-

The salary is paid to him in respect of duties cast upon him by the Municipal Corporation Act and the Reform Act, 1832.

In respect of work done for the corporation as an attorney or solicitor the town clerk is entitled to the usual professional fees.

If the corporation appoint an attorney to do their work, the retainer should be under the borough seal, otherwise an actionwill not lie (*c*).

---

cient cause be shown, then the writ is issued in the alternative, to do the act, or show some reason to the contrary, and to make return by a certain day. If the act directed be not done, or insufficient return be made, the writ is enforced by attachment.

(*c*) *Arnold* v. *Mayor of Poole*, 4 Man. & G. 860.

CHAPTER IX.

THE DUTIES OF THE TREASURER.

THIS officer will be both borough and sanitary treasurer. He will hold office during the pleasure of the council, and is to be paid such salary as it may think reasonable.

If required he must find security.

As borough treasurer he will receive all moneys due from the other officers of the council, and make such payments as are authorized by the Municipal Corporation Act, and as shall be ordered by the council.

He is required to keep an account of receipts and payments, and to submit the same, with vouchers, to the auditors annually, on the 1st March; and in each year to transmit a statement of moneys received and expended to the secretary of state.

As sanitary treasurer he is required to receive and credit to the council all moneys tendered to him on its account:

To pay out of such moneys all cheques drawn by the council and to keep a pass book;

To sign the collector's cash statement on presentment;

To attend the auditing of the accounts, and generally to comply with the directions of the council.

CHAPTER X.

MEDICAL OFFICERS OF HEALTH.

THE council must appoint from time to time a legally qualified medical practitioner as medical officer of health.

The local government board have the same powers as they have in the case of a district medical officer of a union with regard to the qualification, appointment, duties, salary and tenure of office of a medical officer of health or other officer of a sanitary authority, any portion of whose salary is paid out of moneys voted by parliament (*a*).

The same person may, with the sanction of the board, be appointed the medical officer of health or the inspector of nuisances for two or more sanitary districts, by the joint or several appointment of the sanitary authorities of the districts. A district medical officer of a union may be appointed medical officer of health with the sanction of the council.

A medical officer of health may exercise any of

(*a*) 11 & 12 Vict. c. 63, s. 40; 35 & 36 Vict. c. 79, s. 10.

the powers with which an inspector of nuisances is invested by any of the sanitary acts (*b*).

If the salary be fixed and paid by the council alone, this officer holds his appointment at the pleasure of the council; if, however, his salary or any part thereof be paid out of the moneys voted by parliament, then the local government board fix the qualification, appointment, tenure of office, duties and remuneration.

The regulations of the local government board as to medical officers of health are given in the Appendix.

The word "nuisances" includes—

Any premises in such a state as to be a nuisance or injurious to health;

Any pool, ditch, gutter, watercourse, privy, urinal, cesspool, drain or ashpit, so foul as to be a nuisance or injurious to health;

Any animal so kept as to be a nuisance or injurious to health;

Any accumulation or deposit which is a nuisance or injurious to health;

But no accumulation or deposit necessary for the effectual carrying on of any business or manufacture is punishable as a nuisance, when it is proved to the satisfaction of the justices that the accumu-

(*b*) 11 & 12 Vict. c. 63, s. 40; 35 & 36 Vict. c. 79, s. 10.

lation or deposit has not been kept longer than is necessary for the purposes of the business or manufacture, and that the best available means have been taken for protecting the public from injury to health thereby.

Any house or part of a house so overcrowded as to be dangerous or prejudicial to the health of the inmates;

Any factory, workshop or workplace (not under the operation of a general act for the regulation of factories or bakehouses) not kept in a cleanly state;

Or not ventilated so as to render harmless as far as practicable any gases, vapours, dust or other impurities generated in the course of the work carried on in the place that are a nuisance or injurious or dangerous to health;

Or so overcrowded while work is carried on as to be dangerous or prejudicial to the health of those employed in the place;

Any fireplace or furnace which does not as far as practicable consume the smoke arising from the combustible used in it, and which is used within the district for working engines by steam, or in any mill, factory, dyehouse, brewery, bakehouse or gaswork, or in any manufactory or trade process;

Any chimney (not being the chimney of a private dwelling-house) sending forth black smoke in such quantity as to be a nuisance.

But where a person is summoned before justices for a nuisance arising from a fireplace or furnace not consuming the smoke arising from the combustible used in it, the justices may hold that no nuisance is created within the meaning of the acts and dismiss the complaint, if they are satisfied that the fireplace or furnace is constructed so as to consume as far as practicable, having regard to the nature of the manufacture or trade, all smoke arising from it, and that it has been carefully attended to by the person having the charge of it (*c*).

He will, subject to the bye-laws of the council, be required to inform himself respecting all influences affecting, or threatening to injuriously affect the health of the borough, and to ascertain to what extent the same have depended on conditions capable of removal or mitigation:

To systematically at certain periods, and periodically, as occasion may require, inspect, and thereby keep himself informed of the conditions injurious to health existing in the borough;

(*c*) 18 & 19 Vict. c. 121, s. 8; 29 & 30 Vict. c. 90, s. 19,

To advise the council on all matters relating to health;

To visit the spot on receiving information of the outbreak of any contagious, infectious or epidemic diseases, and report and advise thereon;

To take such steps as may be necessary, on receiving information from the inspector, of nuisances injurious to health, or of any house overcrowding;

When required, to inspect and examine any animal and meat, poultry, fish, fruit, vegetables, corn, bread or flour exposed for sale, or deposited for the purpose of sale, or in preparation for sale and intended for the food of man; and, if necessary, cause the same to be seized, in order to be dealt with by a justice.

He is to inquire into any offensive process of trade carried on within the borough, and report thereon:

To keep specified books, and attend at the council when required.

CHAPTER XI.

THE SURVEYOR AND INSPECTOR.

THE office of surveyor and inspector may be fused, and the appointment will be during the pleasure of the council, with such remuneration as it may think reasonable. As surveyor his duties are numerous.

He will have charge of all horses, carts, stores, materials and implements.

He will procure (under the direction of the council) all materials necessary for the making and repairing of the streets, roads and sewers, and to see that the same are properly stored and applied.

He will have to furnish estimates, specifications and reports; overlook contractors and labourers, and prepare a weekly statement of the men employed, work done, rate of wages, and amount paid.

He will be responsible for the management of all sewers, cleansing of ditches, &c.

The drainage of houses, construction of new streets and buildings, street improvements, naming of streets and numbering of houses, encroach-

ments and obstructions, and the lighting arrangements will be under his supervision.

As inspector he will be required to diligently overlook the borough, in relation to nuisances injurious to health, and to report on the same:

To enforce the removal of filth, house refuse, rubbish and dung; and to see that the streets, gully-holes and urinals are properly swept, watered and cleansed;

To inspect slaughterhouses and knackers' premises, and report if not licensed;

He is required to report on anything he may find to be noxious or offensive; to inspect shops and places used for sale of articles intended for food; and he has power to seize and submit such articles to a justice.

He will dispose of the manure and refuse belonging to the council, serve notices, keep specified books, attend the council and its committees, and generally obey the directions of the council and its bye-laws.

The inspector of nuisances, under the Adulteration of Food Act, 1872, has power to institute legal proceedings against persons selling adulterated articles of food, drink or drugs. He is to procure and submit samples of the articles suspected to be adulterated to be analyzed by the analysts appointed under the act, and upon receiving a certificate stating that the articles are

adulterated, cause a complaint of an offence against this act by the party selling or adulterating such articles to be made before a justice of the peace; and thereupon such justice shall issue a summons requiring the seller or the adulterator to appear before two justices of the peace at petty sessions to answer such complaint, and such summons shall be served by delivering the same, or a true copy thereof, upon the premises where such samples were obtained or sold; and the expense of such prosecution, if not ordered to be paid by the party complained against, shall be deemed part of the expenses of executing the act.

Against a person selling an article of consumption it is implied that it is what it by its common name imports to be (*a*). Mixed articles may be sold, if at the time of sale they are declared to be mixed. The mixture must not be injurious to health; in this case notice would not protect the seller.

Under sect. 3 of the Adulteration of Food Act, 1870, the seller need not declare the ingredients of the mixture to the purchaser (*b*).

Facing and colouring tea is adulteration (*c*).

(*a*) *Fitzpatrick* v. *Kelly*, L. R., 8 Q. B. 337.
(*b*) *Pope* v. *Tearle*, 43 L. J., M. C. 129.
(*c*) *Roberts* v. *Egerton*, 43 L. J., M. C. 135.

CHAPTER XII.

THE COLLECTOR AND HIS DUTIES.

THIS officer will be removable by the council at pleasure, and will be paid such salary as the council may determine.

He will (under the guidance of the town clerk) be required to make all rate estimates, make out the rates, give the required notices in respect of them, collect them, and pay the money to the treasurer.

He must produce his books to the town clerk when required, prepare a monthly cash account, collect miscellaneous moneys, attend the council and committees when required, and generally obey the orders of the council and its bye-laws.

CHAPTER XIII.

THE WATCH COMMITTEE AND CONSTABLES.

It will be the duty of the council to select a sufficient number of their own body to constitute, with the mayor, a "watch committee," which committee is required to appoint a sufficient number of constables to form the police force of the borough.

This committee is generally formed of the whole council. The committee is to fix the salaries and wages of and allowances to the constables.

The constables will exclusively act as such within the borough, but in case of special emergency may (under the directions of the watch committee) act as constables in the adjoining counties.

It will devolve upon the watch committee to make regulations for the management of the constables, who, by the Municipal Corporation Act, are empowered (when on duty) to apprehend idle and disorderly persons whilst disturbing the public peace, or when suspected of an intention to com-

mit a felony, and to deliver such offenders to the officer in attendance at the nearest lock-up, in order that they may be dealt with according to law.

Constables stationed at the lock-up at night are empowered to admit to bail persons brought there (without warrant) charged with any petty misdemeanor.

In other respects the powers and duties of borough constables (*i.e.* borough police) and county constables are identical.

Assaulting or resisting a borough constable in the execution of his duty subjects the offender to a penalty not exceeding *5l.*, or such offender may be indicted.

Special constables are to be appointed by the justices in October, and as an auxiliary force may be called upon to act within the borough when the ordinary force is insufficient.

The watch committee is required to make quarterly returns of rules and orders from time to time made for the regulation of their force; and to annually make a return of the number of offences reported by such force, the number of persons apprehended, the nature of the charges, and the result of the proceedings.

The committee, with the sanction of the council, may grant rewards for services or as a compensa-

tion for injury; may establish a superannuation fund, and make gratuities to widows of constables dying in the service of the council.

The penalties under the Licensing Act, 1872, and some other statutes, not exceeding a moiety, may be directed by the convicting justices to be paid to the police superannuation fund.

For neglect of duty or disobedience every constable is liable on conviction before two justices to imprisonment for ten days, or a fine not exceeding forty shillings, or to be dismissed from the force. A constable may also be fined one week's pay for neglect in the discharge of his duty.

If the local government board certify that an efficient police force has been established in the borough, one-fourth of the charge for pay and clothing will be paid by the Treasury, and the Police Expenses Act, 1874, leaves the amount to be contributed to the discretion of the Treasury during the year 1875.

The council has power to arrange with the county magistrates to consolidate the borough and county police; three-fourths of the council must be present when the agreement is sealed, and it is not valid without the sanction of the local government board (*a*).

(*a*) 3 & 4 Vict. c. 88.

CHAPTER XIV.

BYE-LAWS.

THE council has power to make bye-laws for the regulation of its internal affairs, and to make municipal bye-laws for the good rule and government of the borough and the prevention and suppression of nuisances, by summary conviction, and for sanitary purposes.

By these bye-laws the council may subject offenders to such fines, not exceeding *5l.*, as to the council may seem meet.

They must be made at a meeting of the council at which two-thirds of the whole body are present, and must be reasonable, certain, and under the common seal, or they will not be enforcible.

Bye-laws are not enforcible until the expiration of forty days after they have been sent to one of the principal secretaries of state, and have been published.

The offences committed by breach of such laws are punishable by summary conviction, before two justices, within three calendar months.

It should be remembered that the fine for not

accepting the office of mayor must be fixed at no more than 100*l.*, and that for not accepting the office of either alderman, councillor, auditor or assessor, at no more than 50*l.*

Bye-laws may be repealed by the council by new ones, made and confirmed as required by the particular statutes authorizing them to be made.

Bye-laws made by the council as sanitary authority under and for the purposes of the Local Government Acts must also be in writing under the common seal.

The council as sanitary authority may by their bye-laws impose upon offenders against the same the reasonable penalties they think fit, not exceeding the sum of 5*l.* for each offence; and in the case of a continuing offence, a further penalty not exceeding the sum of 40*s.* for each day after written notice of the offence from the sanitary authority.

The council as sanitary authority may alter or repeal their bye-laws by subsequent ones.

Bye-laws imposing a penalty must be so framed as to allow of the recovery of less than the full amount of it (*a*).

No bye-laws must be repugnant to the laws of England or to the provisions of the Local Govern-

(*a*) 11 & 12 Vict. c. 63, s. 115.

ment Acts, nor are they of any force until submitted to and confirmed by the local government board, who are empowered to allow or disallow the same as they may think proper (*b*).

No bye-laws can be confirmed unless notice of intention to apply for their confirmation has been given in one or more of the public newspapers usually circulated in the borough one month before the application. For one month before the application a copy of the proposed bye-laws must be kept at the office of the town clerk, and be open during office hours to the inspection of the burgesses, without fee or reward. The clerk must furnish every burgess on application with a copy of them, or of any part of them, on payment of 6*d.* for every 100 words in the copy (*c*).

Bye-laws made by the council as sanitary authority in pursuance of the Local Government Acts must be printed and hung up in their office, and copies must be delivered to any burgess upon his application for them (*d*).

The council as sanitary authority may make bye-laws regulating—

Meetings and business;

Officers;

(*b*) 11 & 12 Vict. c. 63, s. 115.
(*c*) *Ibid.*
(*d*) *Ibid.* s. 116.

Offensive trades;

Slaughterhouses;

Also, under 14 & 15 Vict. c. 28, s. 9, as to common lodging-houses: for the well ordering thereof and separation of sexes in them;

These regulations must be signed by the secretary of state;

As to mortuaries and corpses;

Imposing upon occupiers the following duties:—

The cleansing of footways and pavements adjoining the premises, the removal of filth, the cleansing of privies, ashpits and cesspools;

For the prevention of nuisances arising from filth or of the keeping of animals;

With respect to the level, width and construction of new streets, and the provisions for the sewerage of them;

With respect to the structure of walls of new buildings for securing stability and the prevention of fires;

With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings;

With respect to the drainage of buildings, to waterclosets, privies, ashpits and cesspools in connection with buildings, and to the closing of buildings, or parts of buildings,

unfit for human habitation, and to prohibition of their use for habitation;

And they may provide for the observance of bye-laws on these subjects by enacting in them the provisions they think necessary as to the giving of notices, the deposit of plans and sections by persons intending to lay out streets or to construct buildings, inspection by the council, and the power of the council to alter or pull down work done in contravention of the bye-laws. No bye-law affects any building erected before the date of the incorporation of the borough (*e*);

Any bathing-places within the borough;

For regulating the conduct of the proprietors and drivers of hackney carriages plying within the prescribed distance, and determining whether the drivers shall wear any and what badges, and for regulating the hours within which they may exercise their calling;

For regulating how the number of each carriage corresponding with the number of its licence is to be displayed;

For regulating the number of persons to be carried, and how the number is to be shown

---

(*e*) 21 & 22 Vict. c. 98, s. 34.

on the carriage, what number of horses or other animals is to draw it, the placing of check strings to the carriages, the holding of them by the driver, and how the carriages are to be furnished or provided;

For fixing the stands of the carriages, and the distance to which they may be compelled to take passengers, not exceeding the prescribed distance;

For fixing the fares for time and distance, and for securing their due publication;

For securing the safe custody and re-delivery of property accidentally left in the carriages, and fixing the charges to be made for it (*f*);

The hire of horses;

The hire of pleasure boats;

As to markets, baths and washhouses;

The labouring classes' lodging-houses;

And, where the council is a burial board, as to burial grounds in the borough;

With respect to stray dogs, and keeping dogs under proper control (*g*);

Fines, if not paid, are to be levied on the goods and chattels of the offender; and if no sufficient

---

(*f*) 10 & 11 Vict. c. 89, s. 68; 21 & 22 Vict. c. 98, s. 44.
(*g*) 34 & 35 Vict. c. 56.

distress be found, he may be imprisoned in the house of correction for a month, the imprisonment to cease when the sum due is paid.

Bye-laws inflicting imprisonment as a penalty are invalid; also those made in restraint of trade.

CHAPTER XV.

OF FINANCES.

THE borough fund is formed of the rents and profits of all estates, and the interest, dividend and annual proceeds of all moneys, goods and valuable securities belonging or payable to the corporation.

Fines and penalties are paid into this fund; but unappropriated fines go to the county where the borough has not either a commission of the peace or a quarter sessions (*a*). It is charged with the salary of the mayor, recorder, town clerk and treasurer, and of every officer which the council shall appoint; also with the expenses of printing burgess lists and other notices, and, where there are separate quarter sessions, the expenses of prosecutions; also all other matters necessary to carry out the provisions of the Municipal Corporations Acts. If the borough fund does not suffice to meet these expenses, then the borough rate is made.

(*a*) *Reg.* v. *Dale*, 17 J. P. 68; *Mayor of Reigate* v. *Hunt*, 32 J. P. 342.

Where the borough fund derivable from corporate property is more than sufficient to pay the salaries of the different officers and other expenses in connection with the carrying out of the provisions of the Municipal Act and other purposes authorized by any general or local act, the surplus is to be applied by the council for the public benefit of the inhabitants and in improving the borough; and where insufficient, the council is to estimate from time to time, as correctly as may be, the additional amount required to carry out the provisions of the Municipal Act, and may order a borough rate, in the nature of a county rate, to be made within the borough, but such rate must not be retrospective. The council has, for the purpose of ordering a borough rate in nature of a county rate, all the powers given to justices by 55 Geo. 3, c. 51, 5 & 6 Will. 4, c. 76, s. 92, and 15 & 16 Vict. c. 81, or it may order the overseers of the poor of the parish or parishes constituting the borough to levy the amount required for the borough and watch rate out of the poor rate or rates, or to make a pound rate upon the occupiers of all rateable property to raise the amount required (*b*).

All warrants required by that act to be issued

(*b*) 1 Vict. c. 81, s. 1.

under the hands and seals of two or more justices are, in the case of the borough rate, to be signed by the mayor and sealed with the corporation seal. An appeal against this rate, on notice to the town clerk, lies to the recorder at quarter sessions, or to the county sessions, as the case may be.

In boroughs having a separate court of quarter sessions, and where the borough is formed of parts of parishes or places which lie partly within and partly without the borough, the council may appoint an overseer for all such parts and places, who is empowered to levy and raise, by an equal rate or assessment upon all the property within each of the parts of parishes or places respectively for which he is appointed, the sums required to meet such borough and watch rates. These rates are to be called district rates, and must be allowed and published in like manner as rates for relief of the poor, and may be appealed against. Such overseer or collector is to account as an officer appointed by the council (*c*).

Different acts specify objects on which it may be expended:—

The Baths and Washhouses Acts, 9 & 10 Vict. c. 74; 10 & 11 Vict. c. 61;

Lunatic asylums, 16 & 17 Vict. c. 97;

(*c*) 8 & 9 Vict. c. 110.

Libraries and museums, 18 & 19 Vict. c. 70;
Literature, science and art, 17 & 18 Vict. c. 112;
Highways—adoption and repair of, by council, 25 & 26 Vict. c. 61.

The council cannot sell or mortgage the real property of the corporation, nor let it on lease for a longer term than thirty years. In exceptional cases the lords of the treasury can enlarge these powers.

By 23 & 24 Vict. c. 16, power is given to municipal corporations to purchase or acquire lands for public purposes with the approbation of the lords of the treasury, and to borrow the money on mortgage of the borough fund or borough rate after giving the notices required by the act (*d*).

A memorial may be presented for this purpose: a month's notice of this must be given, and a copy of the memorial deposited in the town clerk's office for inspection.

The Municipal Corporation Funds Act, 1872, provides that costs of promoting and opposing parliamentary and other proceedings for benefit of the inhabitants are to be charged on the borough funds (*e*).

(*d*) Municipal Corporation Mortgages Act, 1860.

(*e*) 35 & 36 Vict. c. 91. For this purpose an absolute majority of the council must pass a resolution after ten clear days'

The watching and cemetery expenses are defrayed out of the watch and cemetery rates respectively, and paving, lighting and sanitary expenses out of the improvement and borough rates. In addition to all other rates, the council is authorized, when they shall have expended money which they shall declare to be "Private improvement expenses," to make and levy upon the occupiers of the premises in respect of which the money shall have been expended, a rate or rates, to be called "Private improvement rates," of such amount as will be sufficient to discharge such expenses, with interest at 5*l.* per cent.; or the council may grant a rent-charge for advances made to meet the first cost of private improvements.

A concomitant power with that of rating is the power to borrow money, which, for the purpose

---

notice by advertisement in a local newspaper, in addition to the ordinary notices required for summoning a special meeting. The resolution must be twice advertised in a local newspaper, and consented to by the burgesses at a meeting to be called by the mayor, by notice in a local newspaper and on the church and chapel doors, in shape of a resolution in manner provided by the Local Government Act, 1858, for the adoption of that act. The approval of the Local Government Board in sanitary matters and the Secretary of State in other matters is also necessary, and such consent is only given on proof by statutory declaration that all notices have been given and consents obtained.

of defraying expenses incurred in the performance of the council's duties under the Sanitary Acts, is given, with authority to secure the same by mortgage of all or any of the rates.

The exercise of this power is subject to certain conditions, viz.:—

(1.) The money must be expended on permanent works, including expenses incurred in seeking power to execute such works;

(2.) The sanction of the local government board must be obtained;

(3.) The money so borrowed shall not at any time exceed, with the balances of all the outstanding loans of the council under the Sanitary Acts, in the whole, the assessable value for two years of the premises assessable within the district in respect of which such money may be borrowed, and the time for which the money may be borrowed shall not exceed sixty years.

Provided that where the proposed loan with such balances would exceed one year's assessable value, the local government board shall not give their sanction to the loan until a local inquiry shall have been held by one of their inspectors, and his report of the result of such inquiry shall have been received by them. Reborrowing for

the purpose of discharging previous loans, as well as to original loans, is included.

Loans effected to pay off previous loans must be repaid within the term for which the original loan was contracted, unless with the sanction of the local government board, and can in no case be extended beyond the period of sixty years from the date of the original borrowing.

The public works loan commissioners cannot advance money under the Sanitary Acts for a longer period than fifty years (*f*).

The repayment may be provided for either by equal annual instalments with interest, or a sinking fund, as the council may prefer.

The 78th section of the Local Government Act, 1858, and sect. 19 of the Local Government Amendment Act, 1861, are repealed by sect. 37 of the Sanitary Laws Amendment Act, 1874.

(*f*) 37 & 38 Vict. c. 89, s. 36.

CHAPTER XVI.

THE RECORDER AND THE ADMINISTRATION OF JUSTICE.

THE recorder is appointed by the crown; he is a justice of the peace for the borough, and takes precedence therein next after the mayor. The recorder has to make a declaration before the mayor, that he will well and truly perform the duties of his office; in case of sickness, he is empowered to appoint a deputy to act for him at the next ensuing quarter sessions. The recorder holds a court of quarter sessions once in every quarter of the year, of which he is judge, and which takes cognizance of all crimes within the jurisdiction of county quarter sessions. If the mayor should certify to the recorder that the quarter sessions are likely to continue more than three days, he may form a second court, and appoint a barrister of not less than five years' standing to preside therein; the name of the barrister is to be submitted to the secretary of state, and, if approved of, he is to receive ten guineas a day while the court lasts The clerk of the peace is appointed by the coun-

cil. The borough justices consist of the mayor, during his year of office and for one year after, and any persons to whom her majesty shall think fit to assign her majesty's commission to act as justices of the peace for the borough to which a separate commission of the peace has been granted. Every such person must reside in, or within seven miles of, the borough for which he is appointed. Sheriffs and coroners are disqualified; but practising attorneys may be appointed. The estate qualification which is required for county justices is not required for borough justices, nor need such justice be a burgess of the borough for which he is appointed. Summonses and warrants of the borough justices may be served and executed in the county in which the borough is situate, and within seven miles of the borough, without the endorsement of a county magistrate. The justices appoint a clerk, but it is not lawful for such clerk to be interested, directly or indirectly, in the prosecution of offenders committed by such magistrates. The expenses of prosecutions at the assizes, and expenses incident thereto, are to be defrayed out of the borough fund or rate. Every burgess is liable once a year to serve on the grand and petty juries at the quarter sessions. The recorder has power to fine a burgess who does not attend when summoned any amount he may think fit, and the

same may be levied by distress and sale of goods. The council regulate the fees to be taken by the clerk of the peace and the clerk to the magistrates, and the town clerk is to cause a copy of the list of such fees to be placed in the borough justices' room, and in the room in which the court of quarter sessions is held. A separate commission of the peace does not take the borough out of the jurisdiction of the county magistrates; for this purpose the borough must have a separate court of quarter sessions.

Weights and measures are under the control of the council.

APPENDIX.

MUNICIPAL FORMS.

		PAGE
I.	Petition for Incorporation	181
II.	Claim	183
III.	Objection	183
IV.	Notice of Revision	184
V.	Notice of Election	184
VI.	Nomination Paper	186
VII.	Notice of Nominations	187
VIII.	Notice of Election on Extraordinary Vacancy	187
IX.	Appointment of Polling Places	188
X.	Appointment of Presiding Officer	189
XI.	Instructions to Presiding Officers	189
XII.	Declaration of Result of Election, without Poll	195
XIII.	Declaration of Result of Election, after Poll	196
XIV.	Notice to Person Elected	196
XV.	Notice of Death of Councillor	197
XVI.	Notice of Resignation of Office	198
XVII.	Summons for Meeting	198
XVIII.	Appointment of Deputy Mayor	199
XIX.	Appointment of Deputy Alderman	199
XX.	Appointment of Mayor's Auditor	200
XXI.	Model Municipal Bye-Laws	200
XXII.	Watch Rate Order	205
XXIII.	Borough Rate Order	208
XXIV.	Precept for Borough Rate	210
XXV.	Precept for Watch Rate	210
XXVI.	Statutory Declaration of Secrecy	211
XXVII.	Declaration of Inability to Read	211
XXVIII.	Directions for the Guidance of Voter	212
XXIX.	The Ballot Act—Sections 4 and 9	213

SANITARY FORMS.

XXX.	Regulations as to Medical Officers of Health	215
XXXI.	Regulations as to Inspectors of Nuisances	225

PAGE

XXXII. Mortgage of Rates 234
XXXIII. Transfer of Mortgage 234
XXXIV. Distress Warrant 235
XXXV. Conviction 237
XXXVI. Order for Execution of Works by Owners .. 237
XXXVII. Grant of Rent-charge 238
XXXVIII. Notice requiring Owner to do Works 240
XXXIX. Artizans Dwellings Act, 1868 241

CHARGING ORDERS.

XL. Order by Court of Quarter Sessions 242
XLI. Notice by Clerk of the Peace 243
XLII. Common Lodging Houses Act—Notice .. 243
XLIII. Nuisances Removal Act—Order to inspect Private Premises 244
XLIV. Notice of Nuisance 245
XLV. Notice of Entry for Examination 246
XLVI. Summons 247
XLVII. Order for Removal of Nuisances 248
XLVIII. Order for Removal of Nuisances by Sanitary Authority 251
XLIX. Order to permit Execution of Works by Owners 252
L. Summons for Non-payment of Costs, Expenses or Penalties 253
LI. Order for Payment of Costs 254
LII. Warrant of Distress 256
LIII. The Commissioners Clauses Consolidation Acts 257

FORM OF MORTGAGE.

LIV. Transfer of Mortgage 258

LV. Directions for testing Petroleum to ascertain the Temperature at which it gives off Inflammable Vapour 259
LVI. Notice of Resolution of Council to oppose Parliamentary Bill 260
LVII. Notice of Resolution of Burgesses consenting to opposition to Parliamentary Bill 261
LVIII. Time Table 262

No. I. *Form of Petition for Incorporation.*

Municipal Corporations Act, 1835.

To her most gracious majesty VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith,

THE HUMBLE PETITION of the inhabitant householders of the town [and borough] of ———,

SHOWETH,

THAT, by an act passed in the session of parliament holden in the seventh year of the reign of his late majesty King William the Fourth and in the first year of the reign of her majesty Queen Victoria, intituled "An Act to amend an Act for the Regulation of Municipal Corporations in England and Wales," it is enacted, that if the inhabitant householders of any town or borough in England or Wales shall petition his [*sic*] majesty to grant to them a Charter of Incorporation, it shall be lawful for his majesty by any such charter, if he shall think fit by the advice of his privy council to grant the same, to extend to the inhabitants of any such town or borough, within the district to be set forth in such charter, all the powers and provisions of the act of 5 & 6 Will. 4, c. 76: Provided nevertheless that notice of every such petition, and of the time when it shall please his majesty to order the same to be taken into consideration by his privy council, shall be published in the *London Gazette* one month at least before such petition shall be so considered.

THAT the population of the town [and parliamentary borough] of ——— at the last census amounted to ———, since which time the town has considerably extended and the population is rapidly increasing.

THAT, in the belief of your humble petitioners, a Charter of Incorporation would tend to promote the interests of, and confer a great benefit upon, the said town [and borough] of ———.

YOUR PETITIONERS therefore humbly pray that your most gracious majesty, in pursuance and by virtue of the above-mentioned act, may be pleased, by and with the advice of your most honourable privy council, to grant a Charter of Incorporation to the inhabitants of the said town [and borough] of ———, and to extend to them, within the district to be set forth in such charter, the powers and provisions in the said act of 5 & 6 Will. 4, c. 76, and of all and every other acts and act in anywise relating thereto.

AND your humble petitioners, as in duty bound, will ever pray, &c.

No.	Name.	Abode.	Assessment to Poor Rate.		

*** To be engrossed on petition paper.

No. II. *Form of Claim.*

To the town clerk of the borough of P———.

I HEREBY give you notice, that I claim to have my name inserted in the burgess list of the borough of P———, that I occupy a [house, warehouse *or* shop] in the said borough, and that I have been rated in respect of the said [house, warehouse *or* shop] to all rates made for the relief of the poor during the twelve calendar months preceding the 31st day of July last.

Dated the ——— day of September, 187—.

———, of ———.

*** If rated in different parishes, state each, and the time of rating in each.

No. III. *Form of Objection.*

To the town clerk of the borough of P———.

I HEREBY give you notice, that I object to the name of ———, of ———, being retained in the burgess list of the borough of P———.

Dated the ——— day of September, 187—.

———, of ———.

No. IV. *Notice of Revision by Mayor and Assessors.*

Borough of P———, to wit.

NOTICE is hereby given, that we ———, mayor, and ———, and ———, the assessors of the said borough, will hold an open court at the Town Hall, in P———, on ———, the ——— day of October next, at the hour of eleven o'clock in the forenoon, for the purpose of revising the burgess lists of the said borough, pursuant to the provisions of the act of 5 & 6 Will. 4, c. 76, and of another act of 1 Vict. c. 78.

Dated this ——— day of September, 187—.

———, Mayor.

——— } Revising
——— } Assessors.

Town Clerk's Office.

No. V. *Notice of Election.*

Borough of P———, to wit.

Election of Councillors.

——— Ward.

Take Notice,

1. THAT an election of [two] councillors will be held in and for the said ward, on the ——— day of November next.

2. That any person entitled to vote may nominate for the said office himself (if duly qualified), or any other person or persons so qualified, not exceeding [two] in number.

3. That every such nomination must be in writing, and must state the christian names and surnames of the persons nominated, with their respective places of abode and descriptions.

4. That every nomination paper must be signed by the party nominating, and may be in the following form, or to the like effect :—

Nomination Paper.

I, the undersigned ———, of ———, in the parish of ———, ———, being a burgess for the borough of ———, do hereby nominate the following person[s] as proper person[s] to serve as councillor[s] for the ——— ward in the said borough :—

Surname.	Other Names.	Abode.	Rank, Profession or Occupation.

Dated the ——— day of October, A.D. 187—.

———.

5. That all nomination papers must be delivered to the town clerk on or before the ——— day of October instant, and must be sent so that the same shall be received before five o'clock in the afternoon of that day.

Dated this ——— day of October, 187—.

———, Town Clerk.

Municipal Office.

*** In notices for the election of one councillor, or of auditors and assessors, alter the form so as to adapt it to the nomination of one person only.

No. VI. *Nomination Paper.*

I, THE undersigned ———, of ———, in the parish of ———, ———, being a burgess for the borough of ———, do hereby nominate the following person as proper person to serve as councillor for the ——— ward in the said borough:—

Surname.	Other Names.	Abode.	Rank, Profession or Occupation.

Dated the ——— day of ———, A.D. 187—.

———.

No. VII. *Notice of Nominations.*

Borough of ———.

ELECTION of councillors for the ——— ward, in the said borough, to be held on the ——— day of November, 187—.

	Surname.	Other Name.	Abode.	Rank, Profession or Occupation.	Person or Persons Nominating.

I hereby give notice that I have received the nominations of the persons above mentioned. The poll will open at nine and close at four o'clock.

———, Town Clerk.

——— October, 187—.

No. VIII. *Notice of Election on Extraordinary Vacancy.*

Borough of ———.

——— Ward.

I, THE undersigned, being the alderman of the ——— ward, in the borough of ———, do hereby give notice, that the election of a councillor for the said ward, in the room of ———, now an alderman

(*or, as the case may be*), will be held on the ——— day of ——— instant, and that if more than one person shall be nominated for the office of councillor for the said ward under the provisions of the Municipal Corporation Act, 1859, due notice will be given of the place or places within the said ward at which the poll will be taken.

Given under my hand this ——— day of ———, 187—.

———, Alderman.

No. IX. *Notice of Appointment of Polling Places.*

Municipal Election.

Appointment of Polling Places.

Borough of P———.

NOTICE is hereby given, that the aldermen of the several wards within the borough of P———, have appointed the poll on the ——— day of November next, for the election of ——— councillors for the ——— ward, ——— councillor for the ——— ward, and ——— councillors for the ——— ward, within the said borough, in the event of a poll being required for any of such wards, to be taken at the several places hereunder mentioned, that is to say :—

[*Here set forth the stations in each ward, and with particularity the district attached to each polling station.*]

Dated the ——— day of October, 187—.

———, Town Clerk.

Town Clerk's Office.

No. X. *Appointment of Presiding Officer.*

Municipal Election.

(Appointment of Presiding Officer.)

By virtue of the authority contained in an act of parliament made and passed in the thirty-fifth and thirty-sixth years of the reign of her majesty Queen Victoria, intituled "An Act to Amend the Law relating to Procedure at Parliamentary and Municipal Elections," and of any law in this behalf enabling me, I ———, returning officer for the ——— ward of the borough of P———, do hereby appoint ——— presiding officer at the ensuing election, to preside at the polling station situate at ———, in the said ward.

Given under my hand the ——— day of ———, 187—.

No. XI. *Instructions to Presiding Officers.*

Borough of P———.

"The Ballot Act, 1872."

Instructions for the use of Presiding Officers and their Clerks.

The duties of the returning officer and of the presiding officer are distinct; but the returning officer may, if he think fit, act as presiding officer at any polling station in his ward.

1. *General Instructions.*

The poll will open at 9 o'clock a.m., and close at 4 o'clock p.m. Immediately before the commencement of the poll the presiding officer will show the ballot box empty to such persons as may be present, and will then lock the box and seal it, so as to prevent its being opened without breaking the seal, and he must keep it so locked and sealed.

The presiding officer will keep order in his station, and regulate the number of electors to be admitted at a time.

The properly appointed agents of the candidates and the constables on duty may be present in the station.

Any candidate may himself undertake the duties which any agent of his might have undertaken, or may assist his agent in such duties.

On a voter coming to the table the presiding officer or his clerk will ask his name, and refer to the register, and call out the number, name and description of the voter as therein stated.

The presiding officer will then—

(1.) Mark the number of the voter on the counterfoil of the ballot paper immediately below the printed number.

(2.) Tear the ballot paper from the counterfoil and fold it.

(3.) Stamp the ballot paper with the official mark, so that it is seen on the front and back, and hand it open to the voter.

(4.) Cause a mark to be made against the number of the voter in the copy burgess roll,

to denote that he has received a ballot paper, as by a tick or a line in the margin against such number.

(5.) Direct or cause the voter to be directed to one of the compartments in the polling station.

The presiding officer, if required so to do by any two burgesses entitled to vote for the ward, shall put to any person applying for a ballot paper, at the time of his so applying and not afterwards, the following questions or either of them, but no others:—

(1.) Are you the person whose name appears as A. B. on the burgess roll now in force for this borough, being enrolled therein as rated for property described to be situated in ———? (specifying the street, &c. as described in the borough roll).

(2.) Have you already voted at the present election?

No person so required to answer the said questions or either of them shall receive a ballot paper until he shall have answered the same.

The presiding officer must not deliver a ballot paper to any person whose name does not appear in the copy burgess roll furnished to him, or to be within the description of voters, entitled to poll at such presiding officer's polling station.

The presiding officer, on a voter presenting a ballot paper bearing the official mark on the back (except a tendered ballot paper), will allow him to place such paper in the ballot box.

The presiding officer may by his clerk do any act at a polling station which he is authorized to do except

ordering the arrest, exclusion or rejection from the polling station of any person, *but no ballot paper should be put into the box, except in the presence of the presiding officer.*

2. *Tendered Ballot Papers.*

If a person representing himself to be a particular elector applies for a ballot paper after another person has voted as such elector, the applicant will, upon duly answering the two questions before mentioned, be entitled to mark a ballot paper, which will be of a different *colour* from the other ballot papers, and the presiding officer will enter the name of such elector and his number on the burgess roll on a list called "The Tendered Votes List."

Such coloured ballot papers, instead of being put into the box, must be given to the presiding officer, who will mark on the back of each "tendered ballot paper" the name of the voter and his number on the burgess roll.

The presiding officer will set aside such tendered ballot papers in a separate packet, to be indorsed "Tendered Ballot Papers."

3. *As to Illiterates, and Voters Incapacitated by Blindness or other Physical Cause.*

If any voter applying for a ballot paper states that he is unable to read, the presiding officer will administer to such voter "the declaration of inability to read" (forms of which will be provided by the returning officer), and will, in the presence of any of the properly appointed agents of the candidates who may be present, mark the vote of such voter in the manner

directed by him, and cause the ballot paper so marked to be put into the ballot box.

On the application of any voter who is incapacitated by blindness or other physical cause* from marking his vote, the presiding officer will mark the vote of such voter in the manner above mentioned, and cause the ballot paper so marked to be put into the ballot box.

The presiding officer must not suffer any person, except his clerk and the appointed agents of the candidates, to be present in the polling station at the voting of any voter for whom he marks a ballot paper.

The presiding officer will immediately enter on the list provided for that purpose the name and number on the burgess roll of each voter for whom he has marked a ballot paper, and the reason why it is so marked.

He will also make out a statement of the number of voters whose votes have been so marked, distinguishing them under the heads—

"Physical Incapacity."
"Jews."
"Unable to Read."

4. *Spoilt Ballot Papers.*

Should a voter inadvertently spoil his ballot paper, the presiding officer, on being satisfied as to such inadvertence, will furnish him with another ballot

* There is a special provision as to voters of the Jewish persuasion if the poll be taken on a Saturday.

paper, and immediately cancel, but not destroy, such spoilt ballot paper (as by writing on it the words "Cancelled by me, A. B., presiding officer"), and will at the close of the poll seal up with the unused ballot papers all spoilt ballot papers.

5. *Close of the Poll.*

The presiding officer will, as soon as practicable after the close of the poll, close the aperture on the top of the ballot box, and will, in the presence of the agents of the candidates (if any are present), make up into separate packets, sealed with his own seal and the seals of such properly appointed agents (if any) as desire to affix their seals, as follows (viz.) :—

(1.) The ballot box unopened, but with the key attached.

(2.) The unused and spoilt ballot papers, placed together.

(3.) The tendered ballot papers.

(4.) The marked copy of the burgess roll and the counterfoils of the ballot papers.

(5.) "The Tendered Votes List," and "The List of Votes marked by the Presiding Officer."

(6.) A statement of the number of the voters whose votes have been so marked, distinguished under the heads of "Physical Incapacity," "Jews," and "Unable to Read." The declarations of inability to read should be enclosed in this packet.

The presiding officer will deliver such packets to the returning officer, accompanied by a statement made by him, showing the number of ballot papers

entrusted to him, and accounting for them under the heads of—

1. Ballot papers in the ballot box.
2. Ballot papers unused.
3. Ballot papers spoilt.
4. Ballot papers tendered.

and which statement is in the Ballot Act called "The Ballot Paper Account."

———, Town Clerk.

———, 187—.

*** Every officer, clerk and agent in attendance at a polling station shall, during the election and afterwards, maintain and aid in maintaining the secrecy of the voting in such station. Penalty for acting otherwise, imprisonment for any term not exceeding two years, with or without hard labour.

No. XII. *Declaration of Result of Election (Without Poll).*

Borough of P———.

——— Ward.

I, THE undersigned alderman, of the ——— ward, in the borough of P———, do hereby give notice that one person only (namely), ———, of ———, ———, has been nominated for the office of councillor for the said ward at the present election, being the same as the number to be elected.

And I hereby publish and declare that the said ——— has been and is accordingly elected councillor

for the said ward, pursuant to the provisions of the Municipal Corporation Act, 1859.

Dated this ——— day of November, 187—.

———, Alderman.

Town Clerk's Office.

No. XIII. *Declaration of Result of Election (After Poll).*

Borough of P———.

——— Ward.

I, THE undersigned, being the alderman of this ward, hereby declare that [*describe the persons elected as in nomination paper*] have been duly elected as councillors for the said ward at the election held before me this day.

Given under my hand this ——— day of November, 187—.

———, Alderman.

State of the Poll.

——— ——— ———

No. XIV. *Notice to Persons Elected.*

Town Clerk's Office, ———, 187—.

SIR,

I hereby give you notice that on the ——— day ——— instant, you were duly elected to the

office of councillor for the ——— ward in this borough, and that you are required by law to take upon yourself the said office, and to make and subscribe a declaration of the acceptance thereof within five days after notice of your election, before two of the aldermen or councillors of the said borough, and that in case you make default in so doing you will be liable to be fined, and that such office will thereupon be deemed to be vacant.

You will please attend at the town hall in this borough, on ——— the ——— day of ——— instant, at eleven o'clock in the forenoon, to make your declaration, when two aldermen or councillors will attend to receive the same.

I am, sir,

Your obedient servant,

———, Town Clerk.

To ———

No. XV. *Notice of Death of Councillor.*

To the town clerk of the borough of P———.

SIR,

We hereby give you notice that Mr. ———, one of the councillors of the ——— ward, in the borough of P———, died on the ——— day of ——— instant.

Dated this ——— day of ———, 187—.

———
———
} Burgesses of the said ward.

No. XVI. *Notice of Resignation.*

To the council of the borough of P——, and to the town clerk of the said borough.

I HEREBY give you notice that I have paid the fine of —— to the treasurer of the borough of P —— on my resignation of the office of —— for the —— ward, as required by the bye-law of the said borough, and I hereby resign such office accordingly. I send herewith the receipt of the treasurer for the fine so paid by me.

Dated this —— day of ——, 187—.

——.

No. XVII. *Town Clerk's Summons to Meeting.*

Borough of P——.

SIR,

I hereby summon you to a —— meeting of the council of this borough, to be held at the town hall, on —— the —— day of ——, at —— o'clock ——, for the business hereunder mentioned, and for any general business which may be transacted at such meeting.

I am, Sir,

Your obedient servant,

——, Town Clerk.

Town Clerk's Office, ——, 187—.

Business.

No. XVIII. *Appointment of Deputy Mayor.*

Borough of P———.

I, ———, Esquire, mayor of the borough of P———, in pursuance of the Municipal Corporation Act, 1853, do hereby appoint ———, one of the ——— of the said borough, to act as the deputy mayor of the borough during my illness or absence, and I do hereby signify such appointment to the council of the said borough.

Dated the ——— day of ———, 187—.

———, Mayor.

No. XIX. *Appointment of Deputy Alderman.*

Borough of P———.

I, ———, Esquire, mayor of the said borough, do hereby appoint ———, one of the aldermen of this borough, to act in the room of ———, one of the aldermen of the said borough, on the ——— day of ——— instant, at the election of councillors for the ——— ward in the said borough, the said ———, the alderman of the said ward, being incapacitated from acting by reason of [sickness *or* absence, *as the case may be*].

Dated this ——— day of ———, 187—.

———, Mayor.

No. XX. *Appointment of Mayor's Auditor.*

Borough of P———.

I, ———, Esquire, mayor of the borough of——— in pursuance of the Municipal Corporation Act, 1853, do hereby appoint ———, one of the ——— of the said borough, to act as the mayor's auditor, and I do hereby signify such appointment to the council of the said borough.

Dated the ——— day of ———, 187—.

———, Mayor.

No. XXI. *Municipal Bye-Laws.*

Borough of P——— (to wit).

WHEREAS, by an act made and passed in the session of parliament, holden in the fifth and sixth years of the reign of his late majesty King William the Fourth, intituled "An Act to provide for the regulation of Municipal Corporations in England and Wales," it is enacted, "that it shall be lawful for the council of any borough to make such bye-laws as to them shall seem meet for the good rule and government of the borough, and for prevention and suppression of all such nuisances as are not already punishable in a summary manner by virtue of any act in force throughout such borough, and to appoint by such bye-laws such fines as they

shall deem necessary for the prevention and suppression of such offences."

Now we, the mayor, aldermen and councillors, forming and being the council of the said borough of P———, in council met and assembled on the ——— day of ———, A.D. 187—, at least two-thirds of the whole number of the council being present, under or by virtue and in pursuance of the powers to us for that purpose given by the said hereinbefore recited act, and of all other acts and powers us enabling in this behalf, do hereby make the following bye-laws, to commence and have effect from the ——— day of ——— next, namely :—

Fines for Non-Acceptance of Office.

1. That the fine to be payable by any member of the council who shall have been legally elected to the office of mayor, for his non-acceptance of such office, shall be fifty pounds.

2. That the fine to be payable by any burgess who shall have been legally elected to the office of alderman, for his non-acceptance of such office, shall be twenty pounds.

3. That the fine to be payable by any burgess who shall have been legally elected to the office of councillor, for his non-acceptance of such office, shall be twenty pounds.

4. That the fine to be payable by any burgess who shall have been legally elected to the office of revising assessor, for his non-acceptance of such office, shall be ten pounds.

5. That the fine to be payable by any burgess who shall have been legally elected to the office of auditor,

for his non-acceptance of such office, shall be ten pounds.

General Bye-Laws.

1. No person shall at any time by brawling, fighting, singing, shouting, or (except as hereinafter provided) by offering or exposing animals, goods or articles for sale by auction, or otherwise, in or upon any street within the said borough, obstruct the same, or cause any nuisance or annoyance therein, or impede any person using the same; and no person shall at any time sound, or play upon any musical instrument, or sing, or shout, in any such street near any house, after having been requested by any householder, or any member of the family of such householder, or any servant of and authorized by such householder, or by any police officer of the borough, to depart from the neighbourhood of such householder; and no person shall play upon any musical instrument, shout, sing or brawl, in any such street between the hours of eleven at night and six in the morning; and no person shall at any time stand, sit, lie or loiter in or upon any footpath, and refuse to depart therefrom when ordered or requested so to do by any occupier of a dwelling-house by the side of or adjoining such footpath, or by any police officer of the said borough: provided that nothing herein contained shall prevent any person lawfully offering goods or articles for sale by auction or otherwise, on a lawfully constituted market or fair day, in the usual market places in the said borough, or in or upon any portion of the streets or pavements which may be lawfully assigned on market days for the exhibition or sale of goods, or other articles; and

provided also that it shall be lawful for the mayor, or, during his absence or incapacity, for the deputy mayor, in writing, to permit any goods or articles to be sold by auction or otherwise, at and during any time and in any specified street within the said borough, but so that such sale be not an obstruction to any person or persons using such street.

2. No person shall draw, inscribe or write, any obscene or indecent figures, representations, words or sentences, upon any house, shop, office or other building, wall, gate, door, pillar, post, fence, pavement, flag, or any other place within the said borough; and no person shall in any street make any indecent gesture to any person, or recite, or read aloud, any profane, indecent or obscene song, ballad or words; and no person shall in any street, within the said borough, curse or swear, or make use of any violent, disgusting or offensive language.

3. No person shall, in any public place within the said borough, use or make use of any provoking, abusive or insulting language, or make any gesture tending to create or provoke a breach of the peace.

4. No person shall within the said borough wilfully, wantonly or mischievously pull down, break, destroy, tear, injure, damage, cover or deface any board put up by authority of the mayor, town council or town clerk, or of the justices having jurisdiction within the said borough, or of any public officer thereunto lawfully authorized, upon which any bye-law, notice or other matter is inscribed, or any written or printed notice, or any other document affixed thereon or thereto by direction of or by the authority of the mayor, town council or town clerk, or of the justices having juris-

diction within the said borough, or of any public officer thereunto lawfully authorized.

5. No person shall play at any game, or loiter, or smoke at the entrance of any church, chapel, meeting-house or other place of worship in the said borough during the time of divine service, or at the assembling at or departure therefrom of the congregation.

6. Every person who shall offend against or otherwise act in contravention of any of the foregoing general bye-laws shall, upon conviction, forfeit and pay the sum of five pounds for each such offence or act of contravention.

7. All justices having jurisdiction within the said borough who shall act in enforcing any penalty or forfeiture imposed or made payable for any offence against the foregoing general bye-laws, or any of them, shall have power to mitigate or reduce any penalty or forfeiture so imposed and made payable as aforesaid to such sum as they in their discretion shall think fit.

8. In the construction of the above bye-laws, the following words and expressions shall have the meaning hereby assigned to them, unless such meaning be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur, that is to say: words importing the singular number shall include the plural number, and words importing the plural number shall include the singular number; words importing the masculine gender shall include females; the word "person," and words applying to any person or individual, shall apply to and include corporations, whether aggregate or sole; the word "street" shall include every and every part of any present or

future square, crescent, terrace, yard, court, alley, road, lane, carriage-way, horse-way, bridge, footway, footpath, foot-road, public thoroughfare, public passage, highway or other public open place within the said borough.

———, Mayor. (L.S.)

I do hereby certify that a copy of the foregoing bye-laws, sealed with the corporation seal of the borough of ———, was on the ——— day of ———, 187—, sent to her majesty's principal secretary of state for the home department; and that another copy thereof, sealed as aforesaid, was on the same day affixed on the outer door of the town hall of the said borough, pursuant to the directions of the statute in that case made and provided: And I further certify that her majesty has not thought fit to disallow any of the said bye-laws.

Witness my hand this ——— day of ———, 187—.

———, Town Clerk.

No. XXII. *Watch Rate Order.*

Borough of P———.

We, the council of the said borough, at a meeting of the council duly holden on the ——— day of ———, 187—, in pursuance of the statute made and passed in the session of parliament holden in the second and third years of the reign of her present majesty (cap. 28), intituled "An Act for more

equally assessing and levying Watch Rates in certain Boroughs," of the statute made and passed in the session of parliament holden in the eighth and ninth years of the same reign (cap. 110), intituled "An Act for the better collecting Borough and Watch Rates in certain places," and of the statute made and passed in the session of parliament holden in the twenty-second and twenty-third years of the same reign (cap. 32), intituled "An Act to amend the Law concerning the Police in Counties and Boroughs in England and Wales," and by virtue of every power us enabling in this behalf, do hereby order that the whole of the said borough shall, for the half-year commencing the first day of ———, 187—, be watched both by day and by night, and we declare that the whole of the said borough shall be liable to the watch rate hereinafter ordered to be paid, or levied and collected (as the case may be), that is to say, the whole of the parish of ———, and so much and such part and parts of the parishes of ———, ———, ——— and ———, as are within the said borough; and whereas the said parishes of ———, ———, ——— and ——— are partly within and partly without the said borough; and whereas it is estimated and computed by the council, as correctly as may be, that the sum of ——— will be necessary and required for the payment of the expenses to be incurred in and about watching the said borough during the half-year commencing on the said first day of ———.

Now therefore, we, the council, do hereby further order, that a watch rate be accordingly made upon the occupiers of all messuages, lands, tenements and hereditaments within the said borough, for the purpose of

raising the said sum, and that for such purpose there be assessed, and we, the council, do hereby assess, upon the said parish and parts of parishes aforesaid within the said borough, the several sums of money hereinafter mentioned, to be charged on the said parish and parts of parishes respectively, that is to say :—

	£	s.	d.
Upon the ———	:	:	
Upon the before-mentioned part of the parish of ———	:	:	
Upon the before-mentioned part of the ———	:	:	
Upon the before-mentioned part of the parish of ———	:	:	

the same being after the rate of ——— pence in the pound, upon an estimate of the net annual value of the several hereditaments liable to be rated to the said rate, that is to say, of the rent at which one year with another the same might in their actual state be reasonably expected to let from year to year, the probable annual average cost of the repairs, insurances, and other expenses (if any) necessary to maintain the hereditaments in their actual state, and all rates, taxes and public charges, except tithes or tithe commutation rent-charges (if any), being paid by the tenant: And we, the council, do further order that the overseers of the said parish of ——— do pay the said sum so charged and assessed upon their said parish, out of the poor rate made and collected, or to be made or collected, within their said parish, and that the necessary precept for that purpose be issued to the said overseers, requiring them within thirty days from the

date of the said precept, to pay to the treasurer of the said borough the said sum so as aforesaid assessed upon their said parish; and that ———, the overseer appointed by the council for making, levying and collecting the borough and watch rates within the said parts of the said parishes of ———, ———, ——— and ———, do raise the said sums so charged and assessed upon the said parts of parishes respectively, by making and collecting a rate of ——— pence in the pound upon the net annual value, in manner aforesaid, upon and from the occupiers of all messuages, lands, tenements and hereditaments within the said parts of parishes respectively.

Given under the common seal of the council, the day and year first above written.

———, Mayor.

No. XXIII. *Borough Rate Order.*

Borough of P———.

We, the council of the said borough, at a meeting of the council duly holden on the ——— day of ———, 187—, in order to raise the sum of ———, estimated and computed by us to be sufficient and necessary for the payment of the expenses to be incurred in carrying into effect the provisions of an act made and passed in the session of parliament holden in the fifth and sixth years of the reign of his late majesty King William the Fourth, intituled "An Act to provide for the Regulation of Municipal Cor-

porations in England and Wales," and the acts amending the same act, and for the defraying of other expenses by law since charged and now chargeable upon the borough fund or rate, so far as relates to the said borough, during the half-year commencing the first day of ———, 187—, do, in pursuance of the powers given to us by the said act and acts, and of every other power us enabling in this behalf, order and authorize a borough rate of ——— in the pound, to be made, levied and collected as follows, namely, by an order upon or warrant to the overseers of the poor of the parish of ——— (being wholly within the said borough), requiring them to pay to the treasurer of the corporation the proportion of that parish (to be specified in such order or warrant), and by an equal rate to be made, levied and collected by ———, the overseer appointed by us for that purpose, in such parts of the respective parishes of ———, ———, ——— and ——— (being partly within and partly without the said borough), as lie within the said borongh, in accordance with the provisions of the "Act for the better collecting Borough and Watch Rates in certain Places," made and passed in the session of parliament holden in the eighth and ninth years of the reign of her present majesty Queen Victoria.

Given under the common seal of the council the day and year first above written.

———, Mayor.

No. XXIV. *Precept for Borough Rate.*

Borough of P———.

To the Overseers of the Poor of the Parish of ———, in the said Borough.

By virtue of an order of the town council, you are hereby required, within thirty days from the date of this precept, to pay to ———, gentleman, the treasurer of the said borough, out of the money by you collected for the relief of the poor of your said parish, the sum of ———, being the proportion of your said parish for and towards the borough rate of the said borough. And herein you are not to fail on the peril that shall ensue thereof.

Given under my hand and the common seal of the said borough, the ——— day of ———, one thousand eight hundred and ———.

———, Mayor.

No. XXV. *Precept for Watch Rate.*

Borough of P———.

To the Overseers of the Poor of the Parish of ———, in the said Borough.

By virtue of an order of the town council, you are hereby required, within thirty days from the date of this precept, to pay to ———, gentleman, the treasurer of the said borough, out of the money by you collected

for the relief of the poor of your said parish, the sum of ———, being the proportion of your said parish for and towards the watch rate of the said borough. And herein you are not to fail on the peril that shall ensue thereof.

Given under my hand and the common seal of the said borough, the ——— day of ———, one thousand eight hundred and ———.

———, Mayor.

No. XXVI. *Statutory Declaration of Secrecy.*

I SOLEMNLY promise and declare that I will not at this election for ——— do anything forbidden by section four of the Ballot Act, 1872, which has been read to me.

NOTE.—This section must be read to the person taking the declaration.

No. XXVII. *Declaration of Inability to Read.*

I, A. B., of ———, being numbered ——— on the burgess roll for the borough of ———, do hereby declare that I am unable to read.

A. B., his X mark.

——— day of ———.

I, the undersigned, being presiding officer for the ——— polling station for the borough of ———, do

hereby certify that the above declaration, having been first read to the above-named A. B., was signed by him in my presence with his mark.

Signed C. D.,
Presiding Officer for ——— polling station for the borough of ———.

——— day of ———.

No. XXVIII. *Directions for the guidance of the voter in Voting, which are to be printed in conspicuous characters and placarded outside every Polling Station and in every compartment of every Polling Station.*

THE voter may vote for ——— candidates.

The voter will go into one of the compartments and, with the pencil provided in the compartment, place a cross on the right-hand side opposite the name of each candidate for whom he votes, thus **X**.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper he can return it to the officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than ——— candidates,

or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void and will not be counted.

If the voter takes a ballot paper out of the polling station, or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

NOTE.—These directions are to be illustrated by examples of the ballot paper.

No. XXIX. *Section IV. of the Ballot Act,* 1872.

EVERY officer, clerk and agent in attendance at a polling station shall maintain and aid in maintaining the secrecy of the voting in such station, and shall not communicate, except for some purpose authorized by law, before the poll is closed, to any person any information as to the name or number on the register of voters of any burgess who has or has not applied for a ballot paper or voted at that station, or as to the official mark, and no such officer, clerk or agent, and no person whosoever, shall interfere with or attempt to interfere with a voter when marking his vote, or otherwise attempt to obtain in the polling station as to the candidate for whom any voter in such station is about to vote or has voted, or communicate at any time to any person any information obtained in a polling station as to the candidate for whom any voter in such station is about to vote or has voted,

or as to the number on the back of the ballot paper given to any voter at such station. Every officer, clerk and agent in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any ballot paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper. No person shall directly or indirectly induce any voter to display his ballot paper after he shall have marked the same, so as to make known to any person the name of the candidate for or against whom he has so marked his vote.

Every person who acts in contravention to the provisions of this section shall be liable, on summary conviction before two justices of the peace, to imprisonment for any term not exceeding six months, with or without hard labour.

The Ballot Act—Section IX.

If any person misconducts himself in the polling station, or fails to obey the lawful orders of the presiding officer, he may immediately, by order of the presiding officer, be removed from the polling station by any constable in or near that station, or any other person authorized in writing by the returning officer to remove him, and the person so removed shall not, unless with the permission of the presiding officer, again be allowed to enter the polling station during the day. Any person so removed as aforesaid, if charged with the commission in such station of any offence, may be kept in custody until he can be

brought before a justice of the peace. Provided that the powers conferred by this section shall not be exercised so as to prevent any elector, who is otherwise entitled to vote at any polling station, from having an opportunity of voting at such station.

No. XXX. *Regulations as to Sanitary Officers.*

Medical Officers of Health.

To the several Urban Sanitary Authorities in England and Wales, constituted by the Public Health Act, 1872,—And to all others whom it may concern.

Whereas by section 10 of the Public Health Act, 1872, it is enacted that it shall be the duty of every urban sanitary authority to appoint from time to time a medical officer of health, being a legally qualified medical practitioner, and that the local government board shall have the same powers as they have in the case of a district medical officer of a union, with regard to the qualification, appointment, duties, salary and tenure of office of a medical officer of health, any portion of whose salary is paid out of moneys voted by parliament:

And whereas it is thereby further enacted, that the same person may, with the sanction of the local government board, be appointed the medical officer of health for two or more sanitary districts, by the joint or several appointment of the sanitary authorities of such districts:

Now we, the local government board, deeming it

expedient that regulations should be made with respect to the qualification, appointment, duties, salary and tenure of office of medical officers of health, to be appointed by urban sanitary authorities in all those cases where any portion of the salary of any such officer is paid out of moneys voted by parliament, do hereby order and direct as follows :—

SECTION I.—*Qualification.*

Art. 1.—No person shall be qualified to be appointed to the office of medical officer of health under this order, unless he shall be registered under the Medical Act of 1858, and shall be qualified by law to practise both medicine and surgery in England and Wales, such qualification being established by the production to the sanitary authority of a diploma, certificate of a degree, licence, or other instrument granted or issued by competent legal authority in Great Britain or Ireland, testifying to the medical or surgical, or medical and surgical qualification or qualifications of the candidate for such office.

Provided that the local government board may, upon the application of the sanitary authority, dispense with so much of this regulation as requires that the medical officer of health shall be qualified to practise both medicine and surgery, if he is duly registered under the said act to practise either medicine or surgery.

SECTION II.—*Appointment.*

Art. 1.—A statement shall be submitted to the local government board, showing the population and extent of the district for which the sanitary authority propose to appoint the medical officer of health, and

the salary or remuneration intended to be assigned to him; and where the circumstances render desirable the appointment of one medical officer of health for two or more sanitary districts, statements shall in like manner be submitted to the local government board, showing the names of the districts to be combined for that purpose, the population and extent of each district, the mode in which it is intended that the appointment shall be made, whether jointly or severally by the sanitary authorities of those districts, and the amount of salary or remuneration proposed to be assigned to the officer appointed.

Art. 2.—When the approval of the local government board has been given to the proposals submitted to them, the sanitary authority or authorities shall proceed to the appointment of a medical officer of health accordingly.

Art. 3.—No appointment of a medical officer of health shall be made hereafter, unless an advertisement giving notice of the day when such appointment will be made shall have appeared in some public newspaper circulating in the district or districts, at least seven days before the day on which such appointment is made: provided that no such advertisement shall be necessary for the appointment of a temporary substitute.

Art. 4.—Every such appointment hereafter made shall, within seven days after it is made, be reported to the local government board by the clerk to the sanitary authority, or, in the case of a joint appointment, by the clerk to one of the sanitary authorities by whom the appointment is made.

Art. 5.—Upon the occurrence of a vacancy in such

office, the sanitary authority or authorities shall proceed to make a fresh appointment, which shall be reported to the local government board as required by Sect. II. Art. 4 of this order; but if the sanitary authority or authorities desire to make any fresh arrangement with respect to the district or the terms of the appointment, they shall, before filling up the vacancy, supply the particulars of the arrangement to the local government board in the manner prescribed by Sect. II. Art. 1, in regard to the first appointment, and if the approval of the local government board be given, absolutely or with modifications, the sanitary authority or authorities shall then proceed to fill up the vacancy according to the terms of the approval so given.

Art. 6.—If any officer appointed under this order be at any time prevented by sickness or accident, or other sufficient reason, from performing his duties, the sanitary authority or authorities, as the case may be, may appoint a person qualified as aforesaid to act as his temporary substitute, and may pay him a reasonable compensation for his services; and every such appointment shall be reported to the local government board as soon as the same shall have been made.

SECTION III.—*Tenure of Office.*

Art. 1.—Every officer appointed under this order shall continue to hold office for such period as the sanitary authority or authorities appointing him may, with the approval of the local government board, determine, or until he die, or resign, or be removed by such authority or authorities with the assent of the

local government board, or by the local government board.

Provided that the appointments first made under this order shall not be for a period exceeding five years.

Art. 2.—Where any such officer shall have been appointed after the passing of the Public Health Act, 1872, for one or more sanitary districts, and any change in the extent of the district or districts, or in the duties, salary, or remuneration, may be deemed necessary, and he shall decline to acquiesce therein, the sanitary authority or authorities by whom he was so appointed may, with the consent of the local government board, but not otherwise, and after six months' notice in writing, signed by their clerk or clerks, given to such officer, determine his office.

Art. 3.—No person shall be appointed who does not agree to give one month's notice previous to resigning the office, or to forfeit such sum as may be agreed upon as liquidated damages.

Section IV.—*Duties.*

The following shall be the duties of the medical officer of health in respect of the district for which he is appointed; or if he shall be appointed for more than one district, then in respect of each of such districts:—

(1.) He shall inform himself as far as practicable respecting all influences affecting or threatening to affect injuriously the public health within the district.

(2.) He shall inquire into and ascertain by such

means as are at his disposal the causes, origin, and distribution of diseases within the district, and ascertain to what extent the same have depended on conditions capable of removal or mitigation.

(3.) He shall by inspection of the district, both systematically at certain periods, and at intervals as occasion may require, keep himself informed of the conditions injurious to health existing therein.

(4.) He shall be prepared to advise the sanitary authority on all matters affecting the health of the district, and on all sanitary points involved in the action of the sanitary authority or authorities; and in cases requiring it, he shall certify, for the guidance of the sanitary authority or of the justices, as to any matter in respect of which the certificate of a medical officer of health or a medical practitioner is required as the basis or in aid of sanitary action.

(5.) He shall advise the sanitary authority on any question relating to health involved in the framing and subsequent working of such bye-laws and regulations as they may have power to make.

(6.) On receiving information of the outbreak of any contagious, infectious or epidemic disease of a dangerous character within the district, he shall visit the spot without delay and inquire into the causes and circumstances of such outbreak, and advise the persons competent to act as to the measures which may appear to him to be required to prevent the exten-

sion of the disease, and, so far as he may be lawfully authorized, assist in the execution of the same.

(7.) On receiving information from the inspector of nuisances that his intervention is required in consequence of the existence of any nuisance injurious to health or of any overcrowding in a house, he shall, as early as practicable, take such steps authorized by the statutes in that behalf as the circumstances of the case may justify and require.

(8.) In any case in which it may appear to him to be necessary or advisable, or in which he shall be so directed by the sanitary authority, he shall himself inspect and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread or flour exposed for sale or deposited for the purpose of sale or of preparation for sale, and intended for the food of man, which is deemed to be diseased, or unsound, or unwholesome or unfit for the food of man; and if he finds that such animal or article is diseased, or unsound, or unwholesome or unfit for the food of man, he shall give such directions as may be necessary for causing the same to be seized, taken and carried away, in order to be dealt with by a justice according to the provisions of the statutes applicable to the case.

(9.) He shall perform all the duties imposed upon him by any bye-laws and regulations of the sanitary authority, duly confirmed, in respect of any matter affecting the public health,

and touching which they are authorized to frame bye-laws and regulations.

(10.) He shall inquire into any offensive process of trade carried on within the district, and report on the appropriate means for the prevention of any nuisance or injury to health therefrom.

(11.) He shall attend at the office of the sanitary authority or at some other appointed place, at such stated times as they may direct.

(12.) He shall from time to time report, in writing, to the sanitary authority, his proceedings and the measures which may require to be adopted for the improvement or protection of the public health in the district. He shall in like manner report with respect to the sickness and mortality within the district, so far as he has been enabled to ascertain the same.

(13.) He shall keep a book or books, to be provided by the sanitary authority, in which he shall make an entry of his visits and notes of his observations and instructions thereon, and also the date and nature of applications made to him, the date and result of the action taken thereon and of any action taken on previous reports, and shall produce such book or books, whenever required, to the sanitary authority.

(14.) He shall also prepare an annual report, to be made at the end of December in each year, comprising tabular statements of the sickness and mortality within the district, classified

according to diseases, ages and localities, and a summary of the action taken during the year for preventing the spread of disease. The report shall also contain an account of the proceedings in which he has taken part or advised under the sanitary acts, so far as such proceedings relate to conditions dangerous or injurious to health, and also an account of the supervision exercised by him, or on his advice, for sanitary purposes over places and houses that the sanitary authority has power to regulate, with the nature and results of any proceedings which may have been so required and taken in respect of the same during the year. It shall also record the action taken by him, or on his advice, during the year, in regard to offensive trades, bakehouses and workshops.

(15.) He shall give immediate information to the local government board of any outbreak of dangerous epidemic disease within the district, and shall transmit to the board, on forms to be provided by them, a quarterly return of the sickness and deaths within the district, and also a copy of each annual and of any special report.

(16.) In matters not specifically provided for in this order, he shall observe and execute the instructions of the local government board on the duties of medical officers of health, and all the lawful orders and directions of the sanitary authority applicable to his office.

(17.) Whenever the Diseases Prevention Act of 1855

is in force within the district, he shall observe the directions and regulations issued under that act by the local government board, so far as the same relate to or concern his office.

SECTION V.—*Remuneration.*

Art. 1.—The sanitary authority or authorities, as the case may be, shall pay to any officer appointed under this order such salary or remuneration as may be approved by the local government board; and where such officer is appointed for two or more districts, the salary shall be apportioned amongst the districts in such manner as the said board shall approve.

Provided that the sanitary authority or authorities, with the approval of the local government board, may pay to any such officer a reasonable compensation on account of extraordinary services or other unforeseen circumstances connected with his duties or the necessities of the district or districts for which he is appointed.

Art. 2.—The salary or remuneration of every such officer shall be payable up to the day on which he ceases to hold the office, and no longer, subject to any deduction which the sanitary authority or authorities may be entitled to make in respect of Sect. III., Art. 3; and in case he shall die whilst holding such office, the proportion of salary (if any) remaining unpaid at his death shall be paid to his personal representatives.

Art. 3.—The salary or remuneration assigned to such officer shall be payable quarterly, according to the usual feast days in the year, namely, Lady Day,

Midsummer Day, Michaelmas Day, and Christmas Day; but the sanitary authority or authorities may pay to him at the expiration of every calendar month such proportion as they may think fit on account of the salary or remuneration to which he may become entitled at the termination of the quarter.

No. XXXI. *Inspectors of Nuisances.*

To the several Urban Sanitary Authorities in England and Wales, constituted by the Public Health Act, 1872,—and to all others whom it may concern.

WHEREAS by section 7 of the Public Health Act, 1872, it is enacted that, subject to the provisions of that act, the duties imposed by previous "sanitary acts," including that of appointing inspectors of nuisances for the purposes of those acts, shall be transferred to urban sanitary authorities constituted under the above-mentioned act:

And whereas it is enacted by section 10 of the said act that the local government board shall have the same powers as they have in the case of a district medical officer of a union, with regard to the qualification, appointment, duties, salary and tenure of office of officers of sanitary authorities, any portion of whose salary is paid out of moneys voted by parliament:

And whereas it is further enacted by the last-mentioned section that the same person may, with the

sanction of the local government board, be appointed the inspector of nuisances for two or more sanitary districts, by the joint or several appointment of the sanitary authorities of such districts:

Now we, the local government board, deeming it expedient that regulations should be made with respect to the appointment, duties, salary and tenure of office of inspectors of nuisances appointed by urban sanitary authorities, in all those cases where any portion of the salary of any such officer is paid out of moneys voted by parliament, do hereby order and direct as follows:—

SECTION I.—*Appointment.*

Art. 1.—A statement shall be submitted to the local government board, showing the population and extent of the district for which the sanitary authority propose to appoint the inspector of nuisances, and the salary or remuneration intended to be assigned to him; and where the circumstances render desirable the appointment of one inspector of nuisances for two or more sanitary districts, statements shall in like manner be submitted to the local government board, showing the names of the districts to be combined for that purpose, the population and extent of each district, the mode in which it is intended that the appointment shall be made, whether jointly or severally, by the sanitary authorities of those districts, and the amount of salary or remuneration proposed to be assigned to the officer appointed.

Art. 2.—When the approval of the local government board has been given to the proposals submitted

to them, the sanitary authority or authorities shall proceed to the appointment of an inspector of nuisances accordingly.

Art. 3.—No appointment of an inspector of nuisances shall be made under this order, unless an advertisement, giving notice of the day when such appointment will be made, shall have appeared in some public newspaper circulating in the district or districts, at least seven days before the day on which such appointment is made: provided that no such advertisement shall be necessary for the appointment of a temporary substitute.

Art. 4.—Every such appointment hereafter made shall, within seven days after it is made, be reported to the local government board by the clerk to the sanitary authority, or, in the case of a joint appointment, by the clerk to one of the sanitary authorities by whom the appointment is made.

Art. 5.—Upon the occurrence of a vacancy in such office, the sanitary authority or authorities shall proceed to make a fresh appointment, which shall be reported to the local government board as required by Sect. I. Art. 4, of this order, but if the sanitary authority or authorities desire to make any fresh arrangement with respect to the district or the terms of the appointment, they shall, before filling up the vacancy, supply the particulars of the arrangement to the local government board in the manner prescribed by Sect. I. Art 1, in regard to the first appointment; and if the approval of the local government board be given, absolutely or with modifications, the sanitary authority or authorities shall then proceed to fill up the vacancy according to the terms of the approval so given.

Art. 6.—If any officer appointed under this order be at any time prevented by sickness or accident, or other sufficient reason, from performing his duties, the sanitary authority or authorities, as the case may be, may appoint a fit person to act as his temporary substitute, and may pay him a reasonable compensation for his services; and every such appointment shall be reported to the local government board as soon as the same shall have been made.

SECTION II.—*Tenure of Office.*

Art. 1.—Every officer appointed under this order shall continue to hold office for such period as the sanitary authority or authorities appointing him may, with the approval of the local government board, determine, or until he die, or resign, or be removed by such authority or authorities with the assent of the local government board, or by the local government board.

Provided that the appointments first made under this order shall not be for a period exceeding five years.

Art. 2.—Where any such officer shall have been appointed after the passing of the Public Health Act, 1872, for one or more sanitary districts, and any change in the extent of the district or districts, or in the duties, salary or remuneration may be deemed necessary, and he shall decline to acquiesce therein, the sanitary authority or authorities by whom he was so appointed may, with the consent of the local government board, but not otherwise, and after six months' notice in writing, signed by their clerk or clerks, given to such officer, determine his office.

Art. 3.—No person shall be appointed who does not agree to give one month's notice previous to resigning the office or to forfeit such sum as may be agreed upon as liquidated damages.

SECTION III.—*Duties.*

The following shall be the duties of the inspector of nuisances in respect of the district for which he is appointed, or if he shall be appointed for more than one district, then in respect of each of such districts:—

(1.) He shall perform, either under the special directions of the sanitary authority, or (so far as authorized by the sanitary authority) under the directions of the medical officer of health, or in cases where no such directions are required, without such directions, all the duties specially imposed upon an inspector of nuisances by the sanitary acts, or by the orders of the local government board.

(2.) He shall attend all meetings of the sanitary authority when so required.

(3.) He shall by inspection of the district, both systematically at certain periods, and at intervals as occasion may require, keep himself informed in respect of the nuisances existing therein that require abatement under the sanitary acts.

(4.) On receiving notice of the existence of any nuisance within the district, or of the breach of any bye-laws or regulations made by the sanitary authority for the suppression of

nuisances, he shall, as early as practicable, visit the spot, and inquire into such alleged nuisance or breach of bye-laws or regulations.

(5.) He shall report to the sanitary authority any noxious or offensive businesses, trades or manufactories established within the district, and the breach or non-observance of any bye-laws or regulations made in respect of the same.

(6.) He shall report to the sanitary authority any damage done to any works of water supply, or other works belonging to them, and also any case of wilful or negligent waste of water supplied by them, or any fouling by gas, filth, or otherwise, of water used for domestic purposes.

(7.) He shall from time to time, and forthwith upon complaint, visit and inspect the shops and places kept or used for the sale of butchers' meat, poultry, fish, fruit, vegetables, corn, bread or flour, or as a slaughter-house, and examine any animal, carcase, meat, poultry, game, flesh, fish, fruit, vegetables, corn, bread or flour, which may be therein; and in case any such article appear to him to be intended for the food of man, and to be unfit for such food, he shall cause the same to be seized, and take such other proceedings as may be necessary in order to have the same dealt with by a justice: provided that in any case of doubt arising under this clause

he shall report the matter to the medical officer of health, with the view of obtaining his advice thereon.

(8.) He shall, when and as directed by the sanitary authority, procure and submit samples of food or drink, and drugs suspected to be adulterated, to be analyzed by the analyst appointed under the Adulteration of Food Act, 1872, and upon receiving a certificate stating that the articles of food or drink, or drugs, are adulterated, cause a complaint to be made, and take the other proceedings prescribed by that act.

(9.) He shall give immediate notice to the medical officer of health of the occurrence within his district of any contagious, infectious, or epidemic disease of a dangerous character; and whenever it appears to him that the intervention of such officer is necessary in consequence of the existence of any nuisance injurious to health, or of any overcrowding in a house, he shall forthwith inform the medical officer thereof.

(10.) He shall, subject in all respects to the directions of the sanitary authority, attend to the instructions of the medical officer of health with respect to any measures which can be lawfully taken by him under the sanitary acts for preventing the spread of any contagious, infectious, or epidemic disease of a dangerous character.

(11.) He shall enter from day to day, in a book to be provided by the sanitary authority, particu-

lars of his inspections and of the action taken by him in the execution of his duties. He shall also keep a book or books, to be provided by the sanitary authority, so arranged as to form, as far as possible, a continuous record of the sanitary condition of each of the premises in respect of which any action has been taken under the sanitary acts, and shall keep any other systematic records that the sanitary authority may require.

(12.) He shall at all reasonable times, when applied to by the medical officer of health, produce to him his books, or any of them, and render to him such information as he may be able to furnish with respect to any matter to which the duties of inspector of nuisances relate.

(13.) He shall, if directed by the sanitary authority to do so, superintend and see to the due execution of all works which may be undertaken under their direction for the suppression or removal of nuisances within the district.

(14.) In matters not specifically provided for in this order, he shall observe and execute all the lawful orders and directions of the sanitary authority, and the orders of the local government board which may be hereafter issued, applicable to his office.

SECTION IV.—*Remuneration.*

Art. 1.—The sanitary authority or authorities, as the case may be, shall pay to any officer appointed

under this order such salary or remuneration as may be approved by the local government board; and where such officer is appointed for two or more districts, the salary shall be apportioned amongst the districts in such manner as the said board shall approve.

Provided that the sanitary authority or authorities, with the approval of the local government board, may pay to any such officer a reasonable compensation on account of extraordinary services, or other unforeseen circumstances connected with his duties or the necessities of the district or districts for which he is appointed.

Art. 2.—The salary or remuneration of every such officer shall be payable up to the day on which he ceases to hold the office, and no longer, subject to any deduction which the sanitary authority or authorities may be entitled to make in respect of Sect. II. Art. 3; and in case he shall die whilst holding such office, the proportion of salary (if any) remaining unpaid at his death shall be paid to his personal representatives.

Art. 3.—The salary or remuneration assigned to such officer shall be payable quarterly, according to the usual feast days in the year, namely, Lady Day, Midsummer Day, Michaelmas Day, and Christmas Day; but the sanitary authority or authorities may pay to him at the expiration of every calendar month such proportion as they may think fit, on account of the salary or remuneration to which he may become entitled at the termination of the quarter.

No. XXXII. *Form of Mortgage of Rates.*

By virtue of the Public Health Act, 1848, [*insert description of sanitary authority*], in consideration of the sum of ——— paid to the treasurer of the said district by A. B., of ———, for the purposes of the said acts, do grant and assign unto the said A. B., his executors, administrators and assigns, such proportion of the rates arising or accruing by virtue of the said act from [*the rates mortgaged*] as the said sum of ——— doth or shall bear to the whole sum which is or shall be borrowed upon the credit of the said rates, to hold to the said A. B., his executors, administrators and assigns, from the day of the date hereof until the said sum of ———, with interest at the rate of ——— per centum per annum for the same, shall be fully paid and satisfied: And it is hereby declared that the said principal sum shall be repaid on the ——— day of ———, at [*place of payment*]. Dated this ——— day of———, one thousand eight hundred and ———.

[*In case of a non-corporate district, to be signed by five members at least of the sanitary authority, and sealed with their seal; in case of a corporate district, to be sealed with the common seal.*]

No. XXXIII. *Form of Transfer of Mortgage.*

I, A. B., of ———, in consideration of the sum of ——— paid to me by C. D., of ———, do hereby

transfer to the said C. D., his executors, administrators and assigns, a certain mortgage bearing date the ——— day of ———, and made by [*insert description of sanitary authority*], for securing the sum of ——— and interest thereon at ——— per centum per annum [*or if such transfer be by indorsement on the mortgage, insert, instead of the words immediately following the word "assigns,"* the within security], and all my right, estate and interest in and to the money thereby secured, and in and to the rates thereby assigned. In witness whereof I have hereunto set my hand and seal this ——— day of ———, one thousand eight hundred and ———.

A. B. (L.S.)

No. XXXIV. *Form of Distress Warrant.*

To A. B., collector of rates, and to all constables and peace officers.

County of ———
[*or* Borough, *&c.*]
to wit.

WHEREAS complaint hath been duly made by A. B., one of the collectors for the district of ———, under and by virtue of the Public Health Act, 1872, that C. D., of, *&c.*, hath not paid and hath refused to pay the sum of ——— duly assessed upon him in and by a certain rate bearing date on or about the ——— day of ———, in the year of our Lord one thousand eight hundred and ———, although the same hath been duly demanded of him: And whereas it appears to me, E. F., esquire, one of her majesty's justices of

the peace in and for the said county [*or* borough, *&c.*], as well upon the oath of the said A. B. as otherwise, that the said sum of ——— hath been duly demanded in writing by him from the said C. D., and that the said ——— hath refused to pay the same for the space of fourteen days after such demand made, and doth refuse to pay the same: And whereas the said C. D. hath been duly summoned to appear before me to show cause why the said sum should not be paid by him, and not having shown to me any sufficient cause why the same should not be paid. These are therefore, in her majesty's name, to command you to levy the said sum of ———, and also the sum of ———, the costs of proceeding to obtain this warrant, by distress and sale of the goods and chattels of the said C. D., and your reasonable charges of taking, keeping and selling the said distress, rendering to him the overplus (if any), on demand; and if sufficient distress cannot be found of the goods and chattels of the said C. D., that then you certify the same to me, together with this warrant, to the end that such further proceedings may be had therein as to the law doth appertain.

Given under my hand and seal, the ——— day of ———, in the year of our Lord ———.

(Signed) E. F. (L.S.)

No. XXXV. *Form of Conviction.*

County of ——— [*or* Borough, *&c.*] to wit. } BE it remembered, that on the ——— day of ———, in the year of our Lord ———, A. B. is convicted before me [*or* us] ———, one [*or* two] of her majesty's justices of the peace in and for the county [*or* borough, *&c.*] of ———, [*here describe the offence generally, and the time and place when and where committed in the words of this act, or as near thereunto as may be*], contrary to the Public Health Act, 1848; and I [*or* we] do adjudge that the said A. B. hath forfeited for his said offence the sum of [*amount of penalty adjudged*], and that he do pay to C. D. the further sum of ——— as and for his costs in this behalf.

Given under my hand and seal [*or* our hands and seals], the day and year first above written.

(Signed) ——— (L.S.)
——— (L.S.)

No. XXXVI. *Form of Order to permit Execution of Works by Owners.*

County of ——— [*or* Borough, *&c.*] to wit. } WHEREAS complaint hath been made to me, E. F., esquire, one of her majesty's justices of the peace in and for the county [*or* borough, *&c.*] by A. B., owner, within the meaning of the Public Health Act, 1848, of certain premises, to wit, a house [*as the case may*

be] situate in ——— street [*as the case may be*], in the parish of ———, in the said county [*or* borough, *&c.*], that C. D., the occupier of the said premises, doth prevent the said A. B. from obeying and carrying into effect the provisions of the said act in this, to wit, that he the said C. D. doth prevent the said A. B. from [*here describe the works generally, according to circumstances, for instance, thus:* constructing and laying down, in connection with the said house, a covered drain, so as to communicate with a [sewer *or* drain] of [*insert description of sanitary authority*] [*or* a sewer, *&c.* which [*insert description of sanitary authority*] are entitled to use, *as the case may require*], such sewer being within 100 feet of the said house]: and whereas the said C. D., having been duly summoned to answer the said complaint, and not having shown sufficient cause against the same, and it appearing to me that the said works are necessary for the purpose of enabling the said A. B. to obey and carry into effect the provisions of the said act: I do hereby order that the said C. D. do permit the said A. B. to execute the same in the manner required by the said acts.

Given under my hand and seal, this ——— day of ———, in the year of our Lord 18—.

No. XXXVII. *Grant of Rent-charge.*

By virtue of the Public Health Act, 1848, the [*insert description of sanitary authority*] do hereby

declare and absolutely order that the inheritance of the [dwelling-house, shop, lands and premises, *as the case may be*], situate in ——— street, in the parish of ——— within the said district, and now in the occupation of ———, shall be absolutely charged with the sum of ——— pounds, paid by ——— of ———, for the improvement by drainage and water supply [*as the case may be*] of the same dwelling-house, shop, lands and premises [*as the case may be*], together with interest for the same from the date hereof at ——— pounds per centum per annum, until full payment thereof, and also all costs incurred by the said ———, his executors, administrators or assigns, under this security, shall be fully paid and satisfied: And we hereby further declare that the said principal and interest moneys shall be paid and payable by the owner or occupier of the said premises to the said ———, his executors, administrators and assigns, in manner following: (that is to say,) the interest on such principal sum of ——— pounds, or on so much thereof as shall from time to time remain due and payable under this order, shall be paid and payable by equal half-yearly payments, whilst payable, on the ——— day of ——— and the ——— day of ——— in every year, the first payment thereof to be made on the ——— day of ——— next, and such principal sum of ——— pounds shall be paid and payable by ——— equal annual instalments on the ——— day of ——— in each of the next succeeding ——— years towards the discharge of the same principal sum, until the whole shall be fully satisfied and discharged.

No. XXXVIII. *Form of Notice requiring Owner to do Works.*

[*Insert description of sanitary authority.*] The ——— of ——— in the county of ———.

To ———, the owner of certain premises fronting, adjoining or abutting upon a certain street called ——— within the said [borough *or* district, *as the case may be*].

Whereas the said street is not sewered, levelled, paved, flagged and channelled to the satisfaction of the above-named sanitary authority; and whereas your said premises front, adjoin or abut on certain parts of the said street which require to be sewered, levelled, paved, flagged and channelled: Now, therefore, the said [*insert description of sanitary authority*] hereby give you notice (in pursuance of the statute in that case made and provided) to sewer, level, pave, flag and channel the same within the space of [*state the time*] from the date hereof, in manner following: (that is to say,) the sewers to be laid or made [*here describe the mode to be adopted and the material to be used*], of the sizes and forms, and at the rate or rates of inclination shown on the plans and sections of the works as prepared by the surveyor of the sanitary authority.

Each gully for surface draining, and its connection with the sewer, to be placed as shown on the said plans, and to be constructed of the forms, materials and dimensions as shown on the said plans.

A foundation for the carriageway and footway in the said street to be formed in the following manner

[*here describe the mode to be adopted and the material to be used*], and the said carriageway and footway to be paved [*here describe the mode to be adopted and the material to be used*].

The channel stones to be [*here describe the mode to be adopted and the material to be used*]. The curb or side stones to be [*here describe the mode to be adopted and the material to be used*].

The whole of the above-mentioned works to be executed by you in accordance with the plans and sections hereinbefore referred to, and now lying for inspection by you at the office of [*insert description of sanitary authority*] situate in ——— street, in ——— aforesaid, and the dimensions, widths and levels shown thereon, and to be done in a good, workmanlike and substantial manner, to the satisfaction of the said [*insert description of sanitary authority*] or their surveyor.

Dated this ——— day of ———, one thousand eight hundred and———.

(Signed) Clerk to the said ———.

Under the Artizans and Labourers Dwellings Act.

No. XXXIX.

The Artizans and Labourers Dwellings Act, 1868.
County of ———, parish of ———, No. ——.

Charging Order.

The [*insert description of sanitary authority*], being the local authority under the above-mentioned

act, do by this order under their hands and seal discharge the inheritance or fee of the premises mentioned in the schedule hereto, with the payment to ——— of the sum of ——— pounds, payable yearly on the ——— day of ———, for the term of ——— years, and being in consideration of an expenditure of ——— pounds incurred by him in respect of the said premises.

Schedule.

[*Insert description of premises charged.*]

No. XL. *Form of Order by Court of Quarter Sessions or Petty Sessions.*

Be it remembered that on the ——— day of ———, 187—, upon the report hereinafter mentioned, we, the undersigned justices assembled at the court of quarter sessions holden in and for the county of ——— [*or*, assembled in petty sessions for the division or district of the borough or county of ———, *as the case may be*], do hereby order and determine that one or more house or houses, or buildings situate in a certain court or alley within the borough, known or designated as ——— court or alley [*or otherwise distinguishing the premises*], and specified in the report of the officer of health for the ———, dated the ——— day of ———, 187—, is or are unfit for human habitation, and ought to be improved or demolished [*as the case may be*], in pursuance of the Artizans and Labourers Dwellings Act, 1868.

No. XLI. *Form of Notice by Clerk of the Peace or Clerk of the Justices to Clerk of Sanitary Authority.*

Artizans and Labourers Dwellings Act, 1868.

I, A. B., clerk of the peace, *or* clerk of the justices for the ———, do hereby certify, that on the ——— day of ———, 187—, the justices assembled at the court of quarter sessions, *or* assembled at the petty sessions for the ———, [*as the case may be*], made an order, of which the following is a true copy:

[*Here give a copy of the presentment, Form* 11.]

As witness my hand, this ——— day of ———, in the year of our Lord, 187—.

(Signed) (A. B.) Clerk of the Peace,
or clerk of the justices
for ———.

To the ——— clerk of the ——— of ———.

UNDER THE COMMON LODGING HOUSES ACTS.

No. XLII. *Form of Notice.*

TAKE notice that on the ——— day of ———, an act, called "The Common Lodging Houses Act, 1851," was passed, and that before the ——— day of ———, you, being the keeper of a common lodging house within [*here state the place over which the jurisdiction of the sanitary authority giving the notice extends*], must have your common lodging house registered, and that the register is to be kept at [*here state*

where the register is to be kept], and that if you do not have your common lodging house so registered you will be liable to a penalty not exceeding five pounds for every lodger whom you receive in your common lodging house while it is not so registered, and that on your applying to [*here give the name and address of the person to keep the register*], he will register your common lodging house free of all charge to you.

Dated ————.

Under the Nuisances Removal Acts.

No. XLIII. *Order of Justices for Admission of Officer of Sanitary Authority to Inspect Private Premises.*

Whereas [*describe the sanitary authority*] have, by their officer [*naming him*], made application to me, A. B., one of her majesty's justices of the peace having jurisdiction in and for [*describe the place*], and the said officer has made oath to me of his belief that a nuisance, within the meaning of the Nuisances Removal Act for England, 1855, viz. [*describe nuisance*], exists on private premises at [*describe situation of premises so as to identify them*], within my jurisdiction, and demand of admission to such premises for the inspection thereof has been duly made under the said act, and refused.

Now, therefore, I, the said A. B., do hereby require you to admit the said [*name the sanitary authority*],

[*or* the officer of the said (*sanitary authority*)], for the purpose of inspecting the said premises.

Dated this ——— day of ———, 187—.

A. B.

No. XLIV. *Notice of Nuisance.*

To the Sanitary Authority (*describing them*).

I [*or* we], the person aggrieved by the nuisance hereinafter described [*or* the undersigned and described inhabitant householders, inspector of nuisances, *or other officer* (*describing him*)], do hereby give you notice, that there exists in or upon the [dwelling-house, yard, *&c. as the case may be*], situate at ——— [*giving such description as may be sufficient to identify the premises*], in the parish of ———, in your district, under the Public Health Act, 1872, the following nuisance, videlicet [*describing the nuisance, as the case may be; for instance*, a dwelling-house or building a nuisance or injurious to health for want of a privy, *or* drain, *or* sufficient means of ventilation, *or* so dilapidated *or* so filthy as to be a nuisance or injurious to health, *or*, *for further instance*, a ditch *or* drain so foul as to be a nuisance or injurious to health, *or* an accumulation of ———, a nuisance or injurious to health, *&c.*, *or* swine, *or*, *&c.* so kept as to be a nuisance or injurious to health]; and that such nuisance is caused by [*naming the person by whose*

act or default the nuisance is caused, or by some other person unknown].

Dated this ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

[*Signed by complainant.*]

No. XLV. *Notice to Owner or Occupier of Entry for Examination.*

To the owner [*or* occupier, *as the case may be,*] of [*describe the premises*], situate at [*insert a description sufficient to identify the premises*].

TAKE notice that, under the Nuisances Removal Act for England, 1855, the [*describe the sanitary authority*], in whose district under the said act the above premises are situate, have received a notice from [*name complainant*], stating that in or upon the said premises [*insert the cause of nuisance as set forth in the notice*].

And further take notice, that after the expiration of twenty-four hours from the service of this notice, the [*sanitary authority*] will cause the said premises to be entered and examined under the provisions of the said act, and if the cause of nuisance aforesaid be found still existing, or, though removed or discontinued, be likely to be repeated, a summons will be issued requiring your attendance to answer a complaint which will be made to the justices for enforcing

the removal of the same, and prohibiting a repetition thereof, and for recovering the costs and penalties that may be incurred thereby.

Dated this ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

A. B.

The officer appointed by the [*describe the sanitary authority*] to take proceedings under the Nuisances Removal Act for England, 1855.

No. XLVI. *Summons.*

To the owner *or* occupier of [*describe premises*] situate at [*insert such a description as may be sufficient to identity the premises*], *or* to A. B. of ———.

County of —— [*or* borough of —— *&c. or* district of ——, *or, as the case may be*] to wit. } You are required to appear before two of her majesty's justices of the peace [*or* the stipendiary magistrate] of the county [*or other jurisdiction*] of ——— at the petty sessions [*or* court] holden at ——— on the ——— day of ——— next, at the hour of ——— in the ——— noon, to answer the complaint this day made to me by ——— [*or* by ——— on behalf of] [*describing the sanitary authority, as the case may be*], that in or upon the premises above mentioned [*or* in or upon certain premises situate at No. ———, in the ——— street, in the parish of ———, *or such other description or reference as may be sufficient to identify the premises*], in their district, under the Public Health Act,

1872, the following nuisance exists [*describing it, as the case may be*], and that the said nuisance is caused by the act or default of the occupier [*or* owner] of the said premises, *or* by you A. B. [*or in case the nuisance be discontinued but likely to be repeated, say,* there existed recently, to wit, on or about the ——— day of ———, on the premises, the following nuisance [*describe the nuisance*], and that the said nuisance was caused [*&c.*], and although the same has since the said last-mentioned day been removed or discontinued, there is reasonable ground to consider that the same or the like nuisance is likely to recur on the said premises].

Given under the hand of me, J. P., esquire, one of her majesty's justices of the peace acting in and for the [*jurisdiction*] stated in the margin, *or* stipendiary of ——— this ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

No. XLVII. *Order of Justices for Removal of Nuisances by Owner, &c.*

To the owner [*or* occupier] of [*describe the premises*] situate [*give such description as may be sufficient to identify the premises*], *or* to A. B. of ———, *or* to [*describing the sanitary authority*], or to their servants or agents, and to all whom it may concern.

County of —— [*or* borough, *&c.* of ——, *or* district of ——, *as the case may be*]. } WHEREAS on the ——— day of ——— complaint was made before ———, esquire, one of her majesty's justices of the peace acting in and for the county [*or other jurisdic-*

tion] stated in the margin [*or as the case may be*], by [*or* by ——— on behalf of] [*the sanitary authority, describing them, as the case may be*], that in or upon certain premises situate at ———, in the district under the Public Health Act, 1872, of the complainants above named, the following nuisance then existed [*describing it*]; and that the nuisance was caused by the act or default of the owner [*or* occupier] of the said premises [*or* was caused by A. B.] [*if the nuisance has been removed, say,* the following nuisance existed on or about [*the day the nuisance was ascertained to exist*], and that the said nuisance was caused, *&c.*, and although the same is now removed, the same or the like nuisance is likely to recur on the same premises].

And whereas ——— the owner [*or* occupier] within the meaning of the Nuisances Removal Act for England, 1855 [*or* the said A. B.], hath this day appeared before us justices, being two of her majesty's justices in and for ———, sitting in petty sessions at their usual place of meeting ——— [*or as the case may be*], to answer the matter of the said complaint [*or in case the party charged do not appear, say,* And whereas it hath been this day proved to our [*or* my] satisfaction that a true copy of a summons requiring the owner [*or* occupier] of the said premises [*or* the said A. B.] to appear this day before us [*or* me] ——— hath been duly served according to the said act].

Now upon proof here had before us [*or* me] that the nuisance so complained of doth exist on the said premises, and that the same is caused by the act or default of the owner [*or* occupier] of the said premises [*or* by the said A. B.] we [*or* I], in pursuance of the said act, do order the said owner [*or* occupier, *or* A. B.]

within [*specify the time*] from the service of this order or a true copy thereof according to the said act [*here specify the works to be done; as, for instance,* to cleanse, whitewash, purify, and disinfect the said dwelling-house; *or, for further instance,* to construct a privy *or* drain, *&c.; or, for further instance,* to cleanse *or* to recover *or* to fill up the said cesspool, *&c.*], so that the same shall no longer be a nuisance or injurious to health as aforesaid.

[*And if it appear to the justices that the nuisance is likely to recur on the premises, say,* And we [*or* I] being satisfied that, notwithstanding the said cause or causes of nuisances may be removed under this order, the same is or are likely to recur, do therefore prohibit the said owner [*or* occupier, *or* A. B.] from [*here insert the matter of the prohibition, as, for instance,* from using the said house or building for human habitation until the same, in our judgment, is rendered fit for that purpose].

And if the above order for abatement be not complied with [*or* if the above order of prohibition be infringed], then we [*or* I] do authorize and require you the said [*sanitary authority, describing it*], from time to time to enter upon the said premises, and to do all such works, matters and things as may be necessary for carrying this order into full execution according to the act aforesaid.

[*In case the nuisance were removed before complaint, say*] Now, upon proof here had before us that at or recently before the time of making the said complaint, to wit, on ———, as aforesaid, the cause of nuisance complained of did exist on the said premises, but that the same hath since been removed, yet, not-

withstanding such removal, we [*or* I] being satisfied that it is likely that the same or the like nuisance will recur on the said premises, do hereby prohibit [*order of prohibition*]; and if this order of prohibition be infringed, then we [*or* I] [*order on sanitary authority to do works*].

Given under the hands and seals of us, two of her majesty's justices of the peace in and for ——— [*or as the case may be*], ———, this ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

No. XLVIII. *Order of Justices for Removal of Nuisance by Sanitary Authority.*

To the Town Council, *&c., as the case may be.*

County, *&c.* to wit. } WHEREAS [*recite complaint of nuisance as in last form*].

And whereas it hath been now proved to our [*or* my] satisfaction that such nuisance exists, but that no owner or occupier of the premises, or person causing the nuisance, is known *or* can be found [*as the case may be*]: Now we [*or* I], in pursuance of the said act do order the said [*sanitary authority, describing them*] forthwith to [*here specify the works to be done*].

Given, *&c.*

No. XLIX. *Order to permit Execution of Works by Owners.*

County of —— [*or* borough of ——, *or as the case may be*], to wit.

WHEREAS complaint hath been made to me, E. F., esquire, one of her majesty's justices of the peace in and for the county [*or* borough, *&c.*] of ———, [*or* one of her majesty's justices of the peace, *as the case may be*, of the county of ———], by A. B., owner within the meaning of the Nuisances Removal Act for England, 1855, of certain premises, to wit, a dwelling house [*or* building, *or as the case may be*], situate at [*insert such a description of the premises as may be sufficient to identify them*], in the parish of ———, in the said county [*or* borough, *&c.*], that C. D., the occupier of the said premises, doth prevent the said A. B. from obeying and carrying into effect the provisions of the said act, in this, to wit, that he the said C. D. [*here describe the act of prevention generally according to the circumstances; for instance, thus*, doth refuse to quit the said house, the same having by the order of justices been declared unfit for human habitation, *or* doth prevent the said A. B. from cleansing, *or* whitewashing *or* purifying the said dwelling-house, *or* erecting a privy *or* drain, *or* breaking an aperture for ventilation, *or* cleansing a drain, ditch, gutter, watercourse, privy, urinal, cess-pool, *or* ashpit, which is a nuisance or injurious to health]: And whereas the said C. D. has been summoned to answer the said complaint, and has not shown sufficient cause against the same, and it appears to me that [*describe the act or works to be done*] is

necessary for the purpose of enabling the said A. B. to obey and carry into effect the provisions of the said act, I do hereby order that the said C. D. do permit the said A. B. [*describe the act or works to be done*] in manner required by the said act.

Given under my hand and seal this ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

E. F. (L.S.)

No. L. *Summons for Non-payment of Costs, Expenses or Penalties.*

To ——— [*describe the person from whom the costs, expenses and penalties are due*].

County of ——— [*or* borough of ———, *or* district of ———], to wit. } You are required to appear before two of her majesty's justices of the peace [*or* one of the stipendiary magistrates] of the county [*or other jurisdiction*] of ———, at the petty sessions [*or* court] holden at ———, on the ——— day of ——— next, at the hour of ——— in the ———noon, to answer the complaint this day made to me by ——— [*or* by ———, on behalf of] [*describing the sanitary authority*], that the sum of ——— pounds, being costs and expenses incurred by you under and in relation to a certain complaint touching [*describe the nuisance*], and an order of [*describe the person making the order*] duly made in pursuance of the Nuisances Removal Act for England, 1855, [*if*

penalties are due, add, and also the sum of ———, being the amount of penalties payable by you for disobedience of the said order], remains unpaid and due from you.

Given under the hand of me, J. P., esquire, one of her majesty's justices of the peace acting in and for the [*jurisdiction stated in the margin*] [*or* stipendiary magistrate of ———], the ——— day of ———, in the year of our Lord one thousand eight hundred and ———.

No. LI. *Order for Payment of Costs, Expenses and Penalties.*

To ——— [*name the person on whom the order is made*].

County, &c. to wit. } WHEREAS complaint has been made before us [*or* me] for that [*recite cause of complaint*].

And whereas the said [*naming the person against whom the complaint is made*] has this day appeared before us the said justices [*or as the case may be*], to answer this matter of the said complaint: [*Or, in case the party charged do not appear, say,*]

And whereas it has been this day satisfactorily proved to us [*or* me] that a true copy of the summons requiring the said [*naming person charged*] to appear before us [*or* me] this day hath been duly served according to the said act: Now, having heard the matter of the said complaint, we [*or* I] do adjudge the said [*naming the person charged*] to pay forth-

with [*or* by instalments of ——— payable respectively on or before the ———] to the said [*naming the person or sanitary authority to whom the costs adjudged are payable*], the sum of ——— for costs in this behalf, and to [*naming the person or authority to whom the expenses are payable*], the sum of ——— for expenses in this behalf [*if penalties are due, add,* and the sum of ——— for penalties incurred in relation to the premises], together with the sum of ——— being the charges attending the application for this order and proceedings thereon; and if the said several sums amounting in the whole to ——— [*or* if any one of the said instalments] be not paid within fourteen days after the same is due as aforesaid, we [*or* I] hereby order that the same be levied by distress and sale of the goods and chattels of the said ——— and in default of sufficient distress in that behalf adjudge the said ——— to be imprisoned in the common gaol [*or* house of correction, *as the case may be,*] at ——— in the said county [*or as the case may be*] for the space of such time, not exceeding three calendar months, as the justices may think fit, unless the said several sums [*or* sum], and all costs and charges of the said distress [and of the commitment and carrying of the said ——— to the said house of correction *or* common gaol, *or as the case may be,*] shall be sooner paid.

Given under our [*or* my] hands, this ——— day of ———, in the year of our Lord one thousand eight hundred and ———, at ———, in the [county, *or as the case may be*] aforesaid.

No. LII. *Warrant of Distress.*

To the constable of ———, and to all other peace officers in the said county [*or as the case may be*].

WHEREAS on ——— last past complaint was made before the undersigned, two of her majesty's justices of the peace in and for the said county of [*or as the case may be*] [*or* stipendiary magistrate *as the case may be*], for that [*&c. as in the order*]; and thereupon having considered the matter of the said complaint, we [*or* I] adjudged the said ——— [*set out from Form 2, the adjudication of payment and the order for distress and for imprisonment in default of distress*]: And whereas the time in and by the said order appointed for the payment of the said several sums of ——— and ——— hath elapsed, but the said ——— hath not paid the same or any part thereof within fourteen days after the date fixed by the order for such payment, but therein hath made default: These are therefore to command you in her majesty's name forthwith to make distress of the goods and chattels of the said A. B., and if within the space of ——— days after the making of such distress the said last-mentioned sums, together with the reasonable charges of taking and keeping the said distress, shall not be paid, that then you do sell the said goods and chattels so by you distrained, and do pay the money arising from such sale over to the clerk of the justices of the peace for the division of ——— in the said [county, *or as the case may be*], that he may pay and apply the same as by law directed, and may render

the overplus, if any, on demand, to the said ———; and if no such distress can be found, then that you certify the same unto me, to the end that such proceedings may be had therein as to the law doth appertain.

Given under our hand [*or* my] hands and seal, this ——— day of ———, in the year of our Lord one thousand eight hundred and ———, at ——— in the [county] aforesaid.

A. B. (L.S.)
C. D.

UNDER THE COMMISSIONERS CLAUSES CONSOLIDATION ACT.

No. LIII. *Form of Mortgage.*

BY virtue of the Public Health Act, 1872, we [*insert description of sanitary authority*], appointed in pursuance of the said act, in consideration of the sum of ——— paid to the treasurer to the said sanitary authority by A. B., of ———, for the purposes of the said act, do grant and assign unto the said A. B., his executors, administrators and assigns, such proportion of the rates, rents, profits and other moneys arising or accruing by virtue of the said act from [*here describe the rates or other property proposed to be mortgaged*] as the said sum of ——— doth or shall bear to the whole sum which is or shall be borrowed upon the credit of the said rates, rents, profits or moneys, to hold to the said A. B., his

executors, administrators and assigns, from this day until the said sum of ———, with interest at ——— per cent. per annum for the same, shall be fully paid and satisfied (the principal sum to be repaid at the end of ——— years from the date hereof [*in case any period be agreed upon for that purpose*]).

Given under our corporate seal this ——— day of ——— one thousand eight hundred and ———.

No. LIV. *Form of Transfer of Mortgage.*

I, A. B., of ———, in consideration of the sum of ———, paid to me by C. D. of ———, do hereby transfer to the said C. D., his executors, administrators and assigns, a certain mortgage, number ———, made by the ——— sanitary authority [*describing them*] for ———, under the Public Health Act, 1872, bearing date the ——— day of ———, for securing the sum of ——— and ——— interest [*or if such transfer be by endorsement*, the within security], and all my right, estate and interest in and to the money thereby secured, and in and to the rates, rents and profits or other moneys thereby assigned.

In witness whereof I have hereunto set my hand and seal this ——— day of ———, one thousand eight hundred and ———.

No. LV. *Directions for testing Petroleum to ascertain the Temperature at which it gives off Inflammable Vapour.*

THE vessel which is to hold the oil shall be of thin sheet iron; it shall be two inches deep and two inches wide at the opening, tapering slightly towards the bottom; it shall have a flat rim, with a raised edge one quarter of an inch high round the top; it shall be supported by this rim in a tin vessel four inches and a half deep and four and a half inches in diameter; it shall also have a thin wire stretched across the opening, which wire shall be so fixed to the edge of the vessel that it shall be a quarter of an inch above the surface of the flat rim. The thermometer to be used shall have a round bulb about half an inch in diameter, and is to be graduated upon the scale of Fahrenheit, every ten degrees occupying not less than half an inch upon the scale. The inner vessel shall be filled with the petroleum to be tested, but care must be taken that the liquid does not cover the flat rim. The outer vessel shall be filled with cold, or nearly cold, water; a small flame shall be applied to the bottom of the outer vessel, and the thermometer shall be inserted into the oil so that the bulb shall be immersed about one and a half inches beneath the surface. A screen of pasteboard or wood shall be placed round the apparatus, and shall be of such dimensions as to surround it about two-thirds and to reach several inches above the level of the vessels. When heat has been applied to the water until the thermometer has risen to about ninety degrees Fahrenheit, a very small flame shall be quickly passed

across the surface of the oil on a level with the wire. If no pale blue flicker or flash is produced the application of the flame is to be repeated for every rise of two or three degrees on the thermometer. When the flashing point has been noted, the test shall be repeated with a fresh sample of the oil, using cold, or nearly cold, water as before, withdrawing the source of heat from the outer vessel when the temperature approaches that noted in the first experiment and applying the flame test at every rise of two degrees in the thermometer.

No. LVI. *Form of Notice calling Meeting of Council to consider Bill in Parliament.*

Borough of ———.

To wit.

NOTICE.—Whereas notice has been given of an intention to apply to parliament during the ensuing session, for leave to bring in a bill to incorporate a company to be called "The ——— Water Company," and to enable the company to construct works for supplying with water the inhabitants of the said borough; now, therefore, I, ———, esquire, mayor of the said borough, do hereby give notice, that on ———, the ——— day of ——— next, ———, the council will meet at the Town Hall, in the said borough, at the hour of eleven o'clock in the forenoon, for the purpose of considering the said bill, and at the same meeting determining whether it is expedient that the said council, in the interests of the inhabitants of the said borough, should

oppose the said bill, and to that end take and do all necessary steps and acts in the premises.

Dated this ——— day of ———, 187—.

———, Mayor.

*** The notice of result of meeting should set forth the above notice and resolution come to, and may be signed by town clerk.

No. LVII. *Form of Notice calling Meeting of Owners and Ratepayers to consider Bill in Parliament.*

Borough of ———.

I, ———, esquire, mayor of the said borough, do hereby, in compliance with a requisition in writing by twenty ratepayers and owners of property within this borough, summon a public meeting of the owners and ratepayers of the said borough to be holden at the ———, in the said borough, on ———, the ——— day of ——— instant, at ——— o'clock in the ———, for the purpose of proposing to the meeting a resolution of the council of the said borough come to at a meeting of the council, of which resolution the following is a copy :—

> "That notice having been given of an intention to apply to parliament during the ensuing session for leave to bring in a bill 'to incorporate a company for supplying with water the borough of ———,' in the judgment of the council it is expedient for them, for the protection of the interests of the inhabitants of the borough of———, to oppose the said bill in parliament."

Dated the ——— day of———, 187—.

JANUARY.	FEBRUARY.	MARCH.	APRIL.	JUNE.	JULY.	AUGUST.	SEPTEMBER.	OCTOBER.	NOVEMBER.	DECEMBER.
opy rules, &c. respecting police to be sent to the secretary of state on 1st. (5 & 6 Will. 4, c. 76, s. 86.) Where required council to appoint trustees for special purposes from their number. *Id.* s. 73.	Copy parliamentary register to be sent to the secretary of state by 22nd. (31 & 32 Vict. c. 58, s. 37.) Abstract of borough accounts to 1st September to be sent by end of the month to secretary of state. (6 & 7 Will. 4, c. 104, s. 10; 1 Vict. c. 78, s. 43.) Notice of election of auditors and revising assessors to be given by 21st. (32 & 33 Vict. c. 55, s. 6.) When poll, give two days' notice of polling places before 1st March. (5 & 6 Will. 4, c. 76, s. 37.)	Election of auditors and revision assessors to be held on 1st. Result to be published. Mayor to name one of council to act as co-auditor with elective auditors. (5 & 6 Will. 4, c. 76, ss. 37, 93; 1 Vict. c. 78, s. 4.) Audit of treasurer's accounts to be this month. (5 & 6 Will. 4, c. 76, s. 93.) Annual account of receipts, &c. relating to highways to be sent to secretary of state. (12 & 13 Vict. c. 35, s. 1.)	Copy rules, &c. respecting the police to be sent to secretary of state on the 1st. (5 & 6 Will. 4, c. 76, s. 86.)	Forms relating to parliamentary registration to be delivered on or before 10th by town clerk to overseers, with instructions. (6 & 7 Vict. c. 18, s. 10.) Return of market tolls and other matters to be made to the secretary of state in this month. (23 & 24 Vict. c. 51, ss. 1, 2.)	Copy rules, &c. respecting police to be sent to the secretary of state on 1st. In boroughs where there are freemen's lists, same to be made by last day. (6 & 7 Vict. c. 18, s. 14.)	List of freemen to be published on or before 1st. (6 & 7 Vict. c. 18, s. 14.) Claims and objections by freemen to be delivered to town clerk on or before 25th. (*Id.* ss. 15, 17, 18.) Lists of parliamentary voters, claims and objections to be delivered by overseers to town clerk on or before 29th. (*Id.* s. 19.)	Lists of claims and objections by freemen to be published on or before 1st. (6 Vict. c. 18, s. 18.) Revising barrister to appoint day between 15th and 1st November for parliamentary revision, and town clerk to publish a notice. (*Id.* s. 33.) Burgess lists to be delivered to town clerk by overseers on 1st. (20 & 21 Vict. c. 50, s. 7.) Town clerk to print and publish same from 7th to 15th, and on or before 15th burgess claims and objections to be delivered to town clerk, and from 22nd to 1st Oct. lists to be published by town clerk. (5 & 6 Will. 4, c. 76, s. 15.)	Copy rules, &c. respecting police to be sent to the secretary of state on 1st. (5 & 6 Will. 4, c. 76, s. 86.) Municipal revision to be held between 1st and 15th, of which three clear days' notice to be given. (*Id.* s. 18.) The burgess roll or ward lists to be made by town clerk by 22nd. (*Id.* s. 22.) Notice of election of councillors to be published by 24th. (22 Vict. c. 35, s. 5.) Nominations to be delivered by 5 o'clock p.m. of 29th to town clerk. (32 & 33 Vict. c. 55, s. 7.) Next day town clerk to publish list of nominations, and give notice of polling places. (5 & 6 Will. 4, c. 76, s. 33.)	Election of councillors to be on 1st, and if no poll, the result to be published by 11 o'clock; but if poll, same to be by ballot, and result to be published as soon as possible, after counting completed. (5 & 6 Will. 4, c. 76, ss. 30, 32; 35 & 36 Vict. c. 33, s. 20.) Quarterly meeting to be held on the 9th at noon. Mayor to be first elected; then sheriff, where one to be elected; officers to be appointed for borough; then quarterly meetings to be fixed, the committees appointed, and every three years the aldermen to supply vacancies to be selected. (5 & 6 Will. 4, c. 76, ss. 53, 69; 6 & 7 Will. 4, c. 105, s. 5.)	The parliamentary list to be printed by town clerk to be ready this month, and one book to be signed by him and delivered to returning officer. The expenses of parliamentary legislation and of the register to be settled by council, and town clerk to obtain order on overseers for amount fixed. (6 Vict. c. 18, ss. 48, 49, 55; 30 & 31 Vict. c. 102, ss. 31, 34, 38; 31 & 32 Vict. c. 58, s. 23.)

***** When the council is the sanitary authority, its sanitary accounts will be audited at the same time and in the same way as the municipal accounts of the borough, but should be kept distinct and allocated under proper heads to facilitate reference and the making out of returns.**

INDEX.

ACTION by an attorney for costs, 147.

ADULTERATION, proceedings by inspector for, 156; sale of mixed articles, 157; not necessary to declare ingredients, 157; colouring tea, 157.

AGENT, ELECTION, who is not to be, 54; no provision for appointment of, 43; bribes given by, 50; how created, 50; in petition, to be attorneys, 87.

ALDERMAN, casting vote of, 27; declaration by, 27; election of, 26; duration of office, 26; method of voting for, 26; mayor has casting vote for, 26; re-election of, 26; ward alderman, 26; outgoing to vote for retiring mayor, 27; substitute of, 27; ward alderman to be returning officer for ward, 27.

ALIEN, not to be burgess, 14.

AMOTION, power of, in corporations created since 1835..106; reasons for, 107.

ARTIZANS' DWELLINGS, under control of council, 134.

ARTIZANS' DWELLINGS ACT, 115.

ASHPITS, 123; bye-laws as to, 165.

ASSESSOR, when elected, 142; who to be, 143; acceptance of office, 142; deputy of, 142; duties of, 142.

ATTORNEY, appointment of, 147.

AUDITOR, election of, 140; outgoing, may be re-elected, 140; exemptions from serving, 140; vacancy in office of, 140; mayor to elect one, 141; duties of, 141; to audit sanitary accounts, 141; payment of, 141; proceedings where account not passed, 141.

BAKEHOUSES under control of council, 134.

BAKEHOUSE REGULATION ACT, 113.

BALLOT. See *Poll.*

BALLOT-BOX to be used for parliamentary elections, 30.

BANKRUPTCY of a member of council, 24.

BARRISTER to hold first court of revision, 19.

BATHING-PLACE under control of council, 134; bye-laws as to, 166.

BATHS AND WASH-HOUSE ACT, 115.

BELLS, ringing door bells, 130.

BLANDFORD, 6.

BOROUGH, definition of municipal, 3; an urban sanitary district, 5; when absorbed in local government district, 5; when coincident with local government district, 6; corporate, how defined in local government acts, 7; when comprising whole of improvement act or local government district, 8; adjustment of accounts when districts absorbed in, 9; when included in districts for sewerage only, 11; school board may be formed in, 119.

BOROUGH FUND, how formed, 169; fines to be paid into the, 169; what expenses to meet, 169; surplus how applied, 170; where insufficient, 170.

BOROUGH RATE, expenses of surveys to be paid out of, 135; expenses of council as sanitary authority to be paid out of, 135; when to be made, 169; appeal against, 171; powers of council as to, 170; how levied, 170; warrants for the, 171; how levied where borough formed of parts of parishes, 171; objects on which this rate may be expended, 171.

BORROWING, limitation of power, 174; loans not to exceed two years' assessable value, 174; loans not to be for more than sixty years, 174; loans from public works commissioners, 174; repayment, 174.

BRIBERY, what is, 44; who to be deemed guilty of, 45, 46; a misdemeanor, 48; penalty for, 48; definition of, 49; votes to be struck off for, 49; notice of before election not a disqualification, 49; voting not necessary to constitute, 49.

BURGESS, who is a, 14; who is disqualified, 14; to vote in his ward, 42; right to vote determined by the roll, 36; not to be conveyed to poll, 55; to serve on jury, 176.

BURGESS LIST, published by town clerk, 14; claim to be put on the, 15; objection to person on the, 15; claims and objections to be published, 16; compound householders entitled to be on, 16; occupiers of houses under 6*l.* rent when to be on, 16; attorney entitled to be on for offices, 17; occupier of distinct portion of house entitled to be on, 17; lodgers not to be on, 17; lodgers not to affect right of landlord to be on, 17.

BURGESS ROLL, to be published and copies supplied, 19; definition of, 19; how formed, 145.

BURIAL GROUNDS, bye-laws as to, 167.

BYE-LAWS, how proved, 136; fine under not to exceed 5*l.*, 162; how made, 162; when enforcible, 162; offences against, how punished, 162; may be repealed, 163; to be under seal, 163; penalty for continuing offence, 163; framing of, 163; not valid until confirmed by Local Government Board, 164; notice of proposed, 164; subjects of sanitary bye-laws, 164—168; not to inflict imprisonment as a penalty, 168; not to be in restraint of trade, 168.

CALNE, not a borough for sanitary purposes, 6.

CAMBRIDGE, an improvement act district, 6.

CARPETS, beating in streets, 131.

CATTLE, 126, 127.

CELLARS, leaving exposed, 131.

CHARTER, of incorporation how obtained, 3; petition for, 3; promoters of petition, 4; inquiry by Privy Council how conducted, 4; costs of petition, 4.

CHECKS, to be countersigned by town clerk, 146.

CHIMNEY, a nuisance, 153.

CLERK OF THE PEACE, appointed by the council, 176; fees of, 177.

CLERK TO JUSTICES, 177.

COLLECTOR, to make rate estimates, 158; to prepare a monthly cash account, 158.

COMMISSION OF THE PEACE, petition for separate, 136; does not exclude county justices, 177.

COMMITTEE, different kinds of, 110.

COMMON LODGING HOUSES, under control of council, 134; bye-laws as to, 165.

COMMON LODGING HOUSES ACTS, 114.

CONSTABLES, may act in adjoining county, 159; duties, 160; to take bail for misdemeanour, 160; assault on, 160; special constables, 160; widows of, 161; fines for neglect of duty, 161; contribution to expenses of by Treasury, 161; borough force may be amalgamated with county force, 161.

CONTAGIOUS DISEASES ANIMALS ACT, 1869..119.

CONTRACT, to be under seal, 146.

CORONER, 177.

CORPORATIONS, definition of, 1; origin of municipal, 1; definition of municipal, 2; municipal how regulated, 3.

CORRUPT, meaning of, 49.

CORRUPT PRACTICE, what is, 44; votes to be struck off for, 56; at school board election, 50; costs of prosecution for, 56; penalties and disqualifications for, 52, 53.

COSTS. See *Election Petition.*

COUNCIL, members of, when elected, 11; when members of form local board, 11; members elected on local board when not members of, 11; how composed, 20; vacancy in, how filled, 22; person elected when to retire, 22; the powers and duties of in general, 110—119; the powers of, as to water supply, 119; the powers of, as to drainage, 121; nature of powers and duties of, 110; how to carry out sanitary powers, 110; what officers to appoint, 110; the order of business of, 110; what committee to appoint, 111; committees under the Local Government Acts, 111; may appoint committee under the Nuisances Removal Act, 111; powers of the committee, 111; when to meet, 112; meetings may be adjourned, 112; special meeting of, how called, 112; meeting of, when valid, 112; voting

at meeting of, 113; acts relating to sanitary powers of, 113; powers under Baths and Lodging Houses Act, 113; powers under Washhouses Acts and Labouring Classes Acts, 113; operation of acts giving new powers to the, 115; property vesting in, as sanitary authority, 116; property transferred under the Public Health Act, 1872, to be held in trust, 116; accounts, how adjusted when powers transferred to, 117; all powers under local act transferred to, 117; powers of turnpike trustees to be transferred to the council, 117; powers exercised under local act since 1872 to be valid, 118; transfer of property under sect. 9 of Public Health Act, 1872..118; powers of, under the Contagious Diseases Animals Act, 119; as sanitary authority to report expenditure, 132; legal proceedings as sanitary authority, 134; to provide offices, 134; may procure map showing drainage, 135; proceedings of council as sanitary authority, 135; complaint against council as sanitary authority, 135; expenses of, as sanitary authority, how paid, 135; minutes of proceedings, how proved, 136; council may demand return of registrar of deaths, 139; may amalgamate with county for police, 161; may take or oppose parliamentary proceedings, 172.

COUNCILLOR, who may be, 20; persons disqualified, 21; qualification of, 21; what contracts do not disqualify, 21; election of, 22; when to retire, 22; notice of election in each ward, 22; who to nominate, 22; number to be voted for, 23; nomination of, 23; nomination papers, 23; nomination papers published, 23; result of nomination, 23; bankruptcy of, 43; exempt from serving on county juries, 108.

COUNTING VOTES, time of counting, 38; agents at, 38; notice to agents, 38; assistants and clerks, 38; persons entitled to attend, 38; process of counting, 39; decision as to the validity of votes, 39; vote of returning officer, 39; declaration of poll, 40; notice of election, 40; proceedings at close of counting, 41; rejected votes, 40.

COUNTY COURT, order of as to ballot papers, 42; appeal from order of, 42.

DEATHS, registrar of, to make return to council if required, 139.

DECLARATION, of acceptance of office, 107; of property qualification, 108; before accepting office, 22.

DISTRICT RATE defined, 171.

DITCH, boundary, how cleansed, 123.

DOGS, 127; bye-laws as to, 167.

DRAINAGE, purchase of lands for purposes of, 121; sewers under control of council, 122; what sewers are not under control of council, 122; sewers for purpose of outfall, 122; sewers not to pollute streams, 122; construction of irrigation works, 122; owner of house to drain, 122; not to build over sewer, 122; purchase of land for storage of, 123; map showing system of, to be kept, 135.

EDUCATION ELEMENTARY ACT, 119.

ELECTION, expenses of, how paid, 27; to be void for general corruption, 54; not to be questioned by quo warranto, 57; where declared void by a court, new election held, 82; duties of unseated officer, how to be performed, 82.

ELECTION COURT, judge may order clerk of peace to prosecute for corrupt practice, 56; how constituted, 62; judge of, who to be, 63; how to be chosen, 63; who not to be judge of, 63; death of judge of, 63; powers of, 64; may be adjourned, 65; judgment of to be final, 65; report of judge of, 66; special case may be stated, 67; point of law may be reserved, 67; evidence of corrupt practice before agency is proved, 67; copy of report to be sent to secretary of state, 68; witness compelled to attend, 69; certificate for witnesses' expenses, 70; certificate relating to indemnity of witnesses, 70; reception of the court, 77; to employ officers and shorthand writer, 78; general rules as to practice of, 78; general rules to be laid before parliament, 79; remuneration of judge, how to be paid, 80; expenses of court when paid by parties, 81; decision, how to affect unseated candidates, 82; if judge absent to be adjourned, 96; no formal adjournment of, 96; statement of special case, how obtained, 96; title of, 97; registrar of, 97; registrar to ascertain expenses of witness, 97; form of order to compel witness to attend, 98; warrant of commitment for contempt, 98; who to be directed to, 99; interlocutory matters, how disposed of, 99; rule of court, how published, 104; disposal of deposits by court, 105; return of deposits by order of, 105; notice of application for rule, 105; rule to direct payment, 105; chief justice of Common Pleas to sign order for payment, 105; signature to be sufficient, 105; judge to appoint crier and

officers of, 105; shorthand writer of House of Commons to attend the, 105.

ELECTION PETITION, grounds of, 57; provisions as to presentation of, 58, 59, 60, 61, 62; who may present, 58; form of, 58; when to be presented, 59; security for costs of, 59; notice to respondent of security, 60; objections to security, 61; returning officer may be respondent, 61; list of, 61; trial of, 62; two or more candidates may be respondents, 62; where more than one relating to the same election, 62; to be tried in open court, 64; where to be tried, 65; evidence against person claiming office to be given, 67; respondent ceasing to hold office not to affect trial of, 68; witnesses at, 69; may be withdrawn by leave of the court, 71; substitution of petitioner on withdrawal of petition, 71; to be published in the borough, 72; abatement of, 73; notice of abatement of, 73; substitution of petitioner on abatement of, 73; withdrawal and substitution of respondent, 74; a person assuming office may be respondent, 75; costs of, 75; costs of witnesses at, 76; evidence the same as at parliamentary election petitions, 80; conduct of proceedings in superior court, 80; voter not to be asked how he has voted, 82; how to make presentation of, 83; what statements to contain, 83; to be divided into paragraphs, 84; how to conclude, 84; form of, 84; judge may order particulars of statements, 85; evidence of votes contained in list delivered only to be heard, 85; list of objections to be delivered under sect. 15, subsect. 9, 86; petitioners to deliver address of attorney, or appear in person, 87; respondent may appoint attorney or appear in person, 87; list of addresses to be open for inspection, 87; copy of petition with addresses of agents to be sent to town clerk, 88; five days' notice of presentation of, 88; service of petition, 89; evasion of service of, 89; deposit of security for costs, 90; list of amount of security, 90; recognizance as security, 90; form of recognizance, 91; recognizance to be left at master's office, 91; objection to recognizance, 92; how decided, 92; effect of order, 92; insufficient recognizance, 93; costs of objection to, 93; affidavits in support of objection, 94; order for payment of costs, how enforced, 94; master to make out list of petitions, 94; notice of time of trial of, 95; postponement of trial, 96; form of withdrawal of, 100; application and notice of withdrawal, 100; notice of intention to be substituted as petitioner, 101; notice of hearing of, 101; notice of abatement of, 101; notice of death of petitioner, 102; notice where respondent does not oppose the, 102; proceedings thereon,

102; admission of substituted respondent, 103; costs to be recovered by execution, 103; notice of agent's appointment, 104; formal objection invalid, 104.

EVIDENCE, of bye-laws, 136; of meetings and minutes of council, 136; of corrupt practice to be taken before agency proved, 67.

FACTORY, a nuisance, 152.

FINE for non-acceptance of office, 107; mayor's fine not to exceed 100*l.*, 163; other fines not to exceed 50*l.*, 163; to be levied on goods of offender, 167; imprisonment for non-payment of, 168; to be paid into borough fund, 169.

FIRE-ARMS, discharging in the street, 130.

FOLKESTONE, borough of, under Improvement Act, 5.

FOOTWAY, obstructing, 129.

FORMS. See *Appendix*.

FREEMAN, 144.

FURNACE, a nuisance, 158.

GAOL, 136.

GAS, fouling water with, 120; council may contract for supply of, 125; expenses of, how paid, 126; the council may buy gas works or construct works, 126.

HACKNEY CARRIAGES, 134; bye-laws as to, 166.

HIGHWAY, all highways and streets under control of council, 124; burgesses not liable to highway rate, 124; powers of the council as to, 124; council to contract for construction of, 124; pavement belong to council, 124; streets not highways, how repaired, 125; council to name streets, 125; offences in, how punished, 126.

HORSES, 127; riding furiously, 128.

HOSPITALS, under control of council, 134.

HOUSE, owner of, to drain, 122; not to build over sewer, 122; not to build without drain, 122; may be purified, 124; house obstructing highway, 125; notice of erection of, and delivery of plans, 125.

IMPROVEMENT ACT DISTRICT, when partly situated in a borough, 5.

IMPROVEMENT COMMISSIONERS, when sanitary authority in a borough, 5.

INCORPORATION. See *Charter*.

INSPECTOR, duties of, 156, 157; to remove house refuse, 156; to inspect slaughter-houses, 156; to seize food, 156.

JURY, councillors not to serve on county, 108; burgess to serve on jury, 176.

JUSTICES, who to be borough, 176; need not be burgess, 176; to appoint a clerk, 176.

KITES, flying in the streets, 130.

LABOURING CLASSES LODGING HOUSES ACTS, 115.

LAND, purchase of, for water supply, 121.

LANDS CLAUSES ACT, 1845, to apply to easements under the Sanitary Acts, 121; how to be put in force, 134.

LEGAL PROCEEDINGS. See *Council*.

LIBRARIES, FREE PUBLIC, ACT, how adopted, 135, 172.

LOCAL ACT, transfer of powers under, 117; powers exercised under, in boroughs, 118.

LOCAL GOVERNMENT ACTS defined, 114.

LOCAL GOVERNMENT BOARD, how constituted, 12; seal of, 12; execution of instruments, 12; powers of, 12; inquiry by inspector, 12.

LOCAL GOVERNMENT DISTRICT, when part of borough is situated in a, 6; election of member of, 10; formed into a borough, how affected, 7; when altered, the number of board to be prescribed, 9; how governed when containing a borough and a district out of a borough, 9.

LUNATIC ASYLUMS, 171.

MANDAMUS, to place person on burgess roll, 19; proceedings by, 147.

MANUFACTURE, a nuisance, 151.

MANURE, to be removed, 123.

MARKET AND FAIRS ACT, 134.

MARKETS, the council may provide, 133; may purchase land for site of, 133; tolls at, 133; new market not to interfere with company, 133; tolls levied to be approved by the Local Government Board, 134; bye-laws as to, 167.

MAYOR, election of, 24; who may be, 24; declaration by, 24; outgoing, may be re-elected, 24; is affected by bankruptcy, 24; is returning officer where borough not divided into wards, 27; is returning officer at parliamentary elections, 25; is a justice of the peace, 25; is chairman of council, 25; may have a salary, 25; he may resign, 25.

MEDICAL OFFICERS OF HEALTH, to be qualified practitioners, 150; where salary paid by Local Government Board, 150; may act for two districts, 150; may act as inspector of nuisances, 150; may exercise powers of inspector, 151; where salary paid by council, 151; regulations as to, 151; duties of, 153; to inspect meat, 154; to keep books, 154.

MINISTER, DISSENTING, not to be councillor, 21.

MISSILES, throwing in the streets, 130, 131.

MORTGAGE, of corporate property, 172.

MORTUARIES, under control of council, 134; bye-laws as to, 165.

NEWPORT, ISLE OF WIGHT, 5.

NOMINATION, delivery of, two days before election, 145.

NUISANCE, what the term includes, 151, 152.

NUISANCES REMOVAL ACTS, what are, 112, 114.

OFFENCES in highways, how punished, 127.

OVERSEER, to make lists of persons entitled to be on burgess list, 15; form of list, 15; list to be signed by and copied, 15; how elected, 15; who may be, 15; for what place elected, 15; person guilty of corrupt practice not to be, 53; where borough formed of parts of parishes, 171; to levy borough rate, 170.

PARLIAMENTARY PROCEEDINGS, costs of opposition to and promotion of, 172.

PENALTY for acting without qualification, 107; for refusing to act, 107; to be paid into borough fund, 169.

PERSONATION, what is, 43.

PETITION. See *Election Petition*.

PETITIONER, who may be. See *Election Petition*, 58.

PETROLEUM, council to grant licences, 137; definition of, 137; all petroleum within the act, exceptions, 135; appeal from decision of council, 137; inspector to obtain samples of, 138; method of testing, 138; conveyance of, 139; penalties, 139; ships carrying petroleum, 139; penalty not to exceed 50*l.*, 139.

POLICE. See *Constable*.

POLL, contested by ballot, 24; notice of, 28; preparation for, 28; presiding officer, 28; polling stations, 29; construction of, 29; ballot box, 30; ballot papers, 30; declaration of secrecy, 31; persons entitled to attend at stations, 32; commencement of poll, 32; powers and duties of presiding officer, 32; functions of personation agents, 32; mode of voting, 33, 34; spoilt votes, 35; voting in exceptional cases, 35; tendered votes, 30, 36; close of poll, 37; burgess roll to be conclusive as to right of voting, 36; time of opening and closing, 43.

PRESIDING OFFICER, not to open ballot box, 36.

PRIVATE IMPROVEMENT RATE, defined, 172.

PROPERTY (corporate), council not to sell or mortgage, 172; lease of for thirty years, 172; purchase of with sanction of Treasury, 172.

PROSECUTION, expenses of, how paid, 176.

PROSTITUTES, 130.

PUBLIC HEALTH ACT, 1872, scope of, 5; not to affect the metropolis, 8; district for main sewerage under the act, 7; district may be dissolved by provisional order, 8; election of board under, 10; transfer of property to council under sect. 9..118.

QUARTER SESSIONS, court of, petition for, 136.

QUO WARRANTO, municipal election not to be questioned by, 57.

RATING, what constitutes, 16.

RECOGNIZANCE. See *Election Petition.*

RECORDER, is a justice for the borough, 175; declaration by, 175; deputy of, 175; judge of court of quarter sessions, 175; jurisdiction of the court, 175; may form a second court, 175; payment of deputy, 175; to fine absent juryman, 176.

RESIGNATION, officer of corporation may resign, 25.

RESPONDENT. See *Election Petition.*

RETURNING OFFICER, duties of, 27—41; to forward ballot papers to town clerk, 41; to prosecute for personation, 44; may be respondent in election petition, 61.

REVISION, court of, how constituted, 18; notice of, 18; how conducted, 19; who to attend, 19; may be adjourned, 19; when name struck off at revision, 19; right to be on list, how proved, 19; first court of, 19.

RUBBISH, in the streets, 132.

SANITARY ACTS, what are, 115.

SANITARY AUTHORITY. See *Council.*

SCHOOL BOARD ELECTION, corrupt practice at, 50.

SEAL, in custody of town clerk, 146; to be attached to contracts, 146; proof of, 146.

SEWAGE UTILIZATION ACT, 1867, collegiate body under, 8; the acts, 114.

SINGING, in the streets, 130.

SLAUGHTER-HOUSES, under control of council, 133, 134; bye-laws as to, 165.

STEAM WHISTLES, 134.

STRAW, placing in the streets, 132.

STREETS. See *Highways*, 124—132.

SUPERANNUATION FUND, 161; penalties under Licensing Act to be paid to, 161.

SURVEYOR, may be inspector, 155; to repair road and sewers, 155; to furnish estimate, 155; to overlook contractors, 155; to number houses, 155; to superintend the lighting, 156.

THOROUGHFARES, obstructing, 129.

TOWN, definition of, 5.

TOWN CLERK, to have custody of ballot papers, 42; not to give them up without order of county court, 42; to publish election petition in the borough, 88; expenses of, at election court, how paid, 81; to publish time of trial of petition, 95; to publish notice of withdrawal of petition, 100; to publish notice where respondent does not oppose petition, 103; who may be, 144; is sanitary clerk, 144; municipal duties of, 144; to make list of freemen, 144; to publish burgess list, 144; to receive claims and objections and publish same, 145; to attend revising court, 145; to grant roll for sale, 145; to give notice of elections, 145; to publish names of persons nominated, 145; to keep nomination papers, 145; to summon council, 145; to abstract treasurer's account, 145; to attend committee meetings, 146; to act as adviser of council, 146; to give notice of vacancy, 145; to keep records, 146; to prepare bye-laws, 146; to record proceedings of council, 146; to prepare checks, 146; to prepare accounts, 146; to correspond for council, 147; to report to council, 147; to draw contracts and licences, 147; salary of, 147; writs served on the, 147; fees as solicitor, 147; to place copy of fees of clerk of peace in justices' room, 177.

TRAFFIC, regulated by council, 127.

TREASURER, to hold office during pleasure, 148; salary of, 148; to find security, 148; to receive all moneys of corporation, 148; to keep accounts, 148; to send accounts to Secretary of State, 148; to keep a pass book, 148.

TREATING, what is, 44; who to be deemed guilty of, 48.

TURNPIKE TRUSTEES, not a sanitary authority, 117.

UNDUE INFLUENCE, definition of, 44; who to be deemed guilty of, 51; a misdemeanour, 51; influence not necessarily undue, 51.

WAGGON, riding on shafts of, 128.

WARD LISTS, burgess list to be divided into, 145.

WARDS, 21, 22.

WARRANT, of borough justices, 176.

WASHHOUSES, under control of council, 134.

WATCH COMMITTEE, how formed, 159; duties of, 159; to make police regulations, 159; to make annual return, 160; may grant rewards, 160; may create superannuation fund, 161; may make gratuities to widows, 161.

WATCH RATE, 172.

WATERCLOSETS, 123; bye-laws as to, 165.

WATER SUPPLY, 118—121; the powers of the council as to, 118; contract for supply of, 118; the price of how settled, 119; where the council construct waterworks, 119; the gratuitous supply of, 120; public pumps, 120; when supply can be forced on occupier, 120; may be supplied for all purposes, 120; penalty for polluting, 120; fouling by gas, 120; purchase of land for purpose of, 121; wilfully fouling with gas, penalty for, 121.

WATERWORKS, definition of, 119; purchase of land for site of, 121.

WATERWORKS COMPANY, definition of, 119.

WEIGHTS AND MEASURES, under the control of council, 177.

WENLOCK, 5.

WINDOWS, cleaning, 131.

WITNESS. See *Election Court.*

WORKING MEN'S DWELLINGS ACT, 1874, the council may lease suitable land for 999 years, 135.

WRIT, to be served on town clerk, 147.

London: Printed by C. Roworth and Sons, Newton Street, High Holborn.

CATALOGUE

OF

Law Works

PUBLISHED BY

MESSRS. BUTTERWORTH,

Law Booksellers and Publishers

TO THE QUEEN'S MOST EXCELLENT MAJESTY,

AND TO

H. R. H. THE PRINCE OF WALES.

"Now for the Laws of England (if I shall speak my opinion of them without "partiality either to my profession or country), for the matter and nature of "them, I hold them wise, just and moderate laws: they give to God, they give to "Cæsar, they give to the subject what appertaineth. It is true they are as mixt "as our language, compounded of British, Saxon, Danish, Norman customs. "And surely as our language is thereby so much the richer, so our laws are like "wise by that mixture the more complete."—LORD BACON.

LONDON:

7, FLEET STREET, E.C.

1875.

INDEX TO CATALOGUE

Page

Accounts,
Law of. Pulling ... 43
Actions at Law.
Browne 44
Kerr 25
Williams 37
Administration Bonds.
Chadwick 24
Admiralty,
Practice. Coote ... 23
Aliens. Cutler ... 23
Arbitrations.
Redman 13
Articled Clerk.
Mosely 16
Attachment,
Foreign, Brandon ... 42
Awards. Redman ... 13
Banking. Grant ... 12
Keyser ... 43
Bankruptcy. Robson 30
Manual.
Bulley & Bund ... 15
In County Courts.
Davis 9
Index. Linklater ... 44
Bar.
Examination Journal 7
Law Students' Guide 45
Smith 42
Pearce 44
Barbados. Laws of .. 44
Belligerents.
Hamel 43
Bills of Exchange.
Grant 12
Bills of Sale. Hunt. 6
Blackstone.
Stephen's 4
Blockade. Deane ... 44
Bookkeeping,
Solicitors. Coombs. 39
Boundaries. Hunt ... 30
Brokers. Keyser ... 43
Burgesses Manual.
Gaches 9
Carriers,
Inland. Powell ... 28
Railway. Shelford 10
Chamber Practice.
Com. Law. Parkinson 29
Chancery Practice.
Goldsmith 21
Hunter 6
Drafting. Lewis ... 14
Charitable Trusts.
Tudor 31
Church Building.
Trower 39
Pews. Heales ... 11

Page

Civil Law.
Tomkins & Jencken 28
Collieries.
Bainbridge 6
Colonial Law.
Barbados 44
Commentaries.
Stephen's Blackstone's 4
Phillimore's 17
Common Law,
Law & Equity. Chute 7
Practice. Dixon ... 13
Lush 13
Kerr 25
Companies. Grant ... 40
Shelford 11
Compensation,
Law of. Ingram ... 33
Shelford 10
Conspiracy,
Law of. Wright ... 21
Consolidation Acts.
Shelford 10
Constitution. May ... 5
Stephen 4
Constitutional History.
Fulton 5
Contraband of War.
Moseley 42
Deane 44
Contracts,
Specific Performance.
Fry 37
Contributories. Collier 8
Conveyancing,
Introduction. Lewis 15
Practice.
Barry 19
Smith 14
Tudor 20
Forms. Barry .. 19
Crabb 22
Christie 22
Kelly 8
Shelford 22
Rouse 26
Convictions,
Synopsis of. Oke ... 34
Forms. Oke ... 34
Co-operation.
Brabrook 39
Copyholds,
Enfranchisement.
Rouse 41
Law of. Scriven ... 33
Coroner. Baker ... 44
Corporations in General.
Grant 40
Costs, *Law of.* Gray... 43
Criminal Law. Davis 31
Oke... 34

Page

County Courts.
Practice. Davis ... 9
Practice in Equity, Bankruptcy, &c. Davis 9
Practice in Admiralty,
Coote 23
Curates. Field ... 45
Deeds. Tudor ... 20
Descents. Fearne ... 45
Dictionary, Law.
Mozley & Whiteley 18
Divorce. *Practice.*
Browning... ... 20
Domestic Servants.
Baylis 12
Draftsman (The).
Kelly... 8
Drainage. Wilson ... 45
Woolrych 28
Ecclesiastical.
Practice. Coote ... 46
Judgment. Bayford 46
Burder *v.* Heath... 46
Long *v.* Cape Town 46
Phillimore ... 46
Hebbert *v.* Purchas 46
Election, *Law.* Davis 29
England,
Laws of. Blackstone 4
Francillon ... 45
Stephen 4
English Bar. Pearce 44
Smith 42
Equity,
County Courts. Davis 9
Doctrine and Practice.
Goldsmith .. 21
Draftsman. Lewis 14
Equity & Law. Chute 7
Pleader. Drewry ... 36
Suit in. Hunter ... 6
Evidence,
County Court. Davis 9
Law of. Powell ... 47
Wills. Wigram .. 38
Circumstantial. Wills 39
Examinations.
Bar Examination Journal 7
Benham's (Preliminary) Guide 41, 48
Law Examination Journal 32
Mosely's Articled Clerks' Handy Book 16
Fences. Hunt... ... 30
Final Examination Guide. Bedford ... 14
Fisheries. Bund ... 40
Oke ... 35
Foreshores. Hunt ... 30
Williams *v.* Nicholson 45

Page

Forms,
Conveyancing. Barry 19
Crabb 22
Rouse 26
Magisterial. Oke... 34
Pleading. Chitty ... 19
Greening 44
Probate. Chadwick 24
Frauds. Hunt ... 6
Game Laws. Oke ... 35
Gas Companies Acts.
Michael and Will ... 27
Guarantees. De Colyar 7
Highways. Glen ... 47
House of Lords,
Digest. Clark ... 18
Practice. May ... 5
Indian Penal Code.
Analysis. Cutler & Griffin 21
Indian Statutes, Index.
Field 42
Industrial Societies.
Brabrook 39
Institutes of English Public Law. Nasmith 18
Intermediate Examination. Bedford ... 14
International Law.
Deane 44
Hamel 43
Phillimore 17
Intoxicating Liquors Act. Oke 34
Joint Stock Companies.
Shelford 11
Accounts. Pulling 43
Jurisprudence. Holland on Form of the Law ... 40
Justice of Peace. Oke 34
Landlord and Tenant.
Fawcett 7
Lands Clauses Acts.
Ingram 33
Shelford 10
Law Student's Mag. 32
Law Studies. Mosely... 16
Smith ... 42
Leading Cases,
Real Property. Tudor 20
Leases. Crabb 22
Rouse... ... 26
Legacy Duties.
Shelford 29
Libel. Starkie 47
Licensing Laws. Oke 34
Lights (Window).
Latham 25
Local Government.
Glen 35
Lunacy. Phillips ... 37

Page

Magisterial Law. Oke 34
Forms. Oke ... 34
Marine Insurance.
Crump 10
Maritime Warfare.
Deane 44
Hamel 43
Masters and Servants.
Baylis 12
Davis 29
Masters and Workmen.
Lovesy 18
Mayor's Court Practice.
Brandon 42
Memoirs of—
Lyndhurst 43
Talfourd 43
Militia Laws. Dwyer 45
Mines and Minerals.
Bainbridge 16
Mortgages. Fisher ... 47
Rouse ... 26
Municipal Law.
Gaches 9
Grant 40
Naturalization. Cutler 23
Negligence. Saunders 27
Parliamentary.
Clifford & Stephens . 25
May 5
Partnership. Dixon . 27
Tudor's Pothier ... 45
Patent Cases. Higgins 6
Patents. Norman ... 45
Petty Sessions. Oke. 34
Pews. Heales... ... 11
Pleading,
Common Law. Chitty 19
Greening 44
Williams 37
Equity. Drewry ... 36
Lewis 14
Poor Law, *Orders.* Glen 37
Precedents,
Conveyancing. Barry 19
Crabb 22
Rouse 26
Pleading. Chitty, jun. 19
Preliminary Examination Journal ... 48
Principal and Surety.
De Colyar 7
Private Bills.
Clifford & Stephens . 25
May 5
Prize Law. Lushington 39
Probate, *Practice.* Coote 47
Forms. Chadwick 24
Duties. Shelford ... 29
Provident Societies.
Brabrook 39

Page

Public Health. Glen 35
Public Law. Nasmith 18
Railways. Shelford ... 10
Compensation.
Ingram 33
Real Property. Tudor 20
Chart. Fearne ... 45
Seaborne 36
Referees' Court.
Clifford & Stephens . 25
Registration. Davis... 29
Religious,
Doctrine.
Burder *v.* Heath 46
Discipline.
Long *v.* Cape Town 46
Ritual. Bayford ... 46
Hamel ... 46
Roman Law. Gaius . 24
Ortolan's 24
Tomkins 36
Tomkins & Jencken 28
Salmon Fisheries.
Bund 40
Servants. Baylis ... 12
Sewers. Woolrych ... 28
Sheriff's Court. Davis 9
Short Hand. Gurney 43
Slander. Starkie ... 47
Specific Performance.
Fry 37
Stock Exchange.
Keyser 43
Student's Guide.
Benham 41
Succession Duty.
Shelford 29
Suit in Equity. Hunter 6
Summary Convictions.
Oke 34
Tariffs and Treaties.
Hertslet 31
Tithes. Schomberg ... 46
Torts. Underhill ... 25
Treaties. Hertslet ... 31
Trusts, Charitable.
Tudor 31
Turnpike Laws. Oke 35
Vendors & Purchasers.
Seaborne 36
Water Companies Acts.
Michael and Will ... 27
Wills. Crabb 22
Tudor 20
Wigram ... 38
Winding-up. Collier 8
Shelford 11
Window Lights.
Latham 25
Wrongs. Underhill ... 25

STEPHEN'S BLACKSTONE'S COMMENTARIES.—7th Edit.

MR. SERJEANT STEPHEN'S NEW COMMENTARIES ON THE LAWS OF ENGLAND, partly founded on Blackstone. The Seventh Edition, by JAMES STEPHEN, ESQ., LL.D., Judge of County Courts, late Professor of English Law at King's College, London, and formerly Recorder of Poole. 4 vols. 8vo. 4*l.* 4*s.* cloth.

From the "Law Journal."

"We cordially welcome the Seventh Edition of this noble and famous work. It is unnecessary for us on this occasion to repeat the eulogy which six years ago we bestowed, not without just reason, on the Commentaries as they then appeared. It has been remarked that Stephen's Commentaries enjoy the special merit of being an educational work, not merely a legal text book. Their scope is so wide that every man, no matter what his position, profession, trade or employment, can scarcely fail to find in them matter of special interest to himself, besides the vast fund of general information upon which every Englishman of intelligence may draw with advantage."

From the "Solicitors' Journal."

"A work which has reached a Seventh Edition needs no other testimony to its usefulness. And when a law book of the size and costliness of these 'Commentaries' passes through many editions, it must be taken as established that it supplies a need felt in all branches of the profession, and probably to some extent, also, outside the profession. It is difficult indeed to name a law book of more general utility than the one before us. It is (as regards the greater part) not too technical for the lay reader, and not too full of detail for the law student, while it is an accurate and (considering its design) a singularly complete guide to the practitioner. This result is due in no small degree to the mode in which the successive editions have been revised, the alterations in the law being concisely embodied, and carefully interwoven with the previous material, forming a refreshing contrast to the lamentable spectacle presented by certain works into which successive learned editors have pitchforked headnotes of cases, thereby rendering each edition more unconnected and confusing than its predecessor. As the result of our examination we may say that the new law has, in general, been accurately and tersely stated, and its relation to the old law carefully pointed out."

From the "Law Times."

"We have in this Work an old and valued friend. For years we have had the last, the Sixth Edition, upon our shelves, and we can state as a fact that when our text books on particular branches of the Law have failed us, we have always found that St ephen's Commentaries have supplied us with the key to what we sought, if not the actual thing we required. We think that these Commentaries establish one important proposition, that to be of thorough practical utility a treatise on English Law cannot be reduced within a small compass. The subject is one which must be dealt with comprehensively, and an abridgment, except merely for the purposes of elementary study, is a decided blunder. Of the scope of the Commentaries we need say nothing. To all who profess acquaintance with the English Law their plan and execution must be thoroughly familiar. The learned Author has made one conspicuous alteration, confining 'Civil Injuries' within the compass of one volume, and commencing the last volume with 'Crimes,'—and in that volume he has placed a Table of Statutes. In every respect the Work is improved, and the present writer can say, from practical experience, that for the Student and the Practitioner there is no better Work published than 'Stephen's Commentaries.'"

From the "Law Examination Journal."

"This most valuable work has now reached its Seventh Edition. Those who desire to take a survey of the entire field of English Law cannot do better than procure this work. It will be found especially useful for those whose legal studies have not commenced, but are desirous of making themselves acquainted with the laws of their country, whether for the purpose of professional study, or for the purpose of serving their country as justices of the peace. What Bacon's works are to philosophy, Blackstone's Commentaries and Stephen's Commentaries, founded on Blackstone, are to the study of English Law. For a general survey of the entire field of English Law, or, at least, for a comparative survey of different branches of law, Stephen's Commentaries are unrivalled; and we may observe that these Commentaries should not be used merely as a book of reference, they should be carefully studied."

SIR T. ERSKINE MAY'S PARLIAMENTARY PRACTICE.—Seventh Edition.

A TREATISE ON THE LAW, PRIVILEGES, PROCEEDINGS AND USAGE OF PARLIAMENT. By Sir THOMAS ERSKINE MAY, D.C.L., K.C.B., Clerk of the House of Commons and Bencher of the Middle Temple. Seventh Edition, Revised and Enlarged. 8vo. 40*s.* cloth.

CONTENTS:—Book I. Constitution, Powers and Privileges of Parliament.—Book II. Practice and Proceedings in Parliament.—Book III. The Manner of passing Private Bills, with the Standing Orders in both Houses, and the most recent Precedents.

"A work, which has risen from the position of a text book into that of an authority, would seem to a considerable extent to have passed out of the range of criticism. It is quite unnecessary to point out the excellent arrangement, accuracy and completeness which long ago rendered Sir T. E. May's treatise the standard work on the law of Parliament. Not only are points of Parliamentary law discussed or decided since the publication of the last edition duly noticed in their places, but the matter thus added is well digested, tersely presented and carefully interwoven with the text."—*Solicitors' Journal.*

"Fifty pages of new matter have been added by Sir Thomas May in his seventh edition, thus comprising every alteration in the law and practice of Parliament, and all material precedents relating to public and private business since the publication of the sixth edition. We need make no comment upon the value of the work. It is an accepted authority and is undeniably the law of Parliament. It has been brought up to the latest date, and should be in the hands of every one engaged in Parliamentary life, whether as a lawyer or as a senator."—*Law Times.*

FULTON'S MANUAL OF CONSTITUTIONAL HISTORY.

A MANUAL OF CONSTITUTIONAL HISTORY, founded on the Works of Hallam, Creasy, May and Broom: comprising all the fundamental principles and the Leading Cases in Constitutional Law. By FORREST FULTON, Esq., LL.D., B.A., University of London, and of the Middle Temple, Barrister at Law. Post 8vo. 7*s.* 6*d.* cloth.

"After carefully looking through the several chapters, we may fairly say the book is well done, and that the object of aiding the student in his first entry on the wide study of Constitutional Law and History is attained."—*The Law.*

"The method of its arrangement is decidedly original and well calculated to meet the object with which the book was written, namely, to assist law students in preparing for their examinations, as history now very properly forms an important part in all legal examinations. Mr. Fulton's, for practical information, and for student's purposes, is by far the best Manual of Constitutional History with which we are acquainted."—*Irish Law Times.*

"The work before us is one which has long been wanted, and Mr. Fulton appears to have taken great pains to make it thoroughly useful and reliable."—*Civil Service Gazette.*

"The general reader will be much pleased with the chapters on the privileges of parliament."—*Standard.*

"A good reference book, as well as a book that ought to be read in the first instance straight through."—*John Bull.*

"The author has spared no pains, and has succeeded in the somewhat difficult task of presenting the results of a wide range of reading in a well digested form. Mr. Fulton may be congratulated upon the very successful accomplishment of a by no means easy task: his book supplies a felt want."—*Public Opinion.*

"The excellent plan makes the work easy to use as a reference book, and especially for law students. Written calmly and learnedly in this spirit, this excellent condensation leaves us little to do than to warmly recommend it."—*Publishers' Circular.*

"Mr. Fulton has compiled a Manual of Constitutional History to aid beginners in their studies: the extracts he has given from his authorities appear to be well chosen."—*Daily News.*

"It is useless for an ordinary student simply to read a ponderous work on the Constitution, unless at the same time he is able to assimilate its results. Mr. Fulton has recognized this difficulty, and the result is the truly admirable little manual to which we call the attention of our readers."—*Canadian News.*

HIGGINS' DIGEST OF PATENT CASES.

A DIGEST OF PATENT CASES, arranged according to Subject-matter, with a copious Index. By CLEMENT HIGGINS, M.A., F.C.S., of the Inner Temple, Esq., Barrister at Law. Very nearly ready. 8vo. cloth.

HUNTER'S SUIT IN EQUITY.—Sixth Edition.

An ELEMENTARY VIEW of the PROCEEDINGS in A SUIT IN EQUITY. With an Appendix of Forms. By S. J. HUNTER, B.A., of Lincoln's Inn, Barrister at Law. Sixth Edition by G. W. LAWRANCE, M.A., Barrister at Law. Post 8vo. 12*s*. cloth.

"There can be no better test of the value of this book than the fact that the sixth edition is now before the public. The first was published in 1858, so that it has enjoyed the good fortune falling to very few legal works of passing through six editions in fifteen years. A student will find this edition as suitable to his wants as was the first edition."—*Law Magazine.*

"This book is so very well known, and has proved so extremely useful to law students and practitioners, that we should only repeat what is familiar if we said anything in its praise. Edition after edition has been issued as changes in the law have necessitated it, and Mr. Lawrance now sends the work forth annotated with all recent cases requiring notice to illustrate the text."—*Law Times.*

"What greater testimony to the value of a book can we put forward than the bare fact that in fifteen years it has run through six editions, and that only two years and some few months have elapsed between the publications of the last two editions? 'Hunter's Suit in Equity' is a work that every student for the Chancery bar must read, and its popularity is therefore readily explained."—*Law Journal.*

"We have so often noticed previous editions of this useful work that it appears to be only necessary to say of this edition, that many recent decisions have been noted and the text has been adapted to the alterations in practice and procedure introduced by the Chancery Funds Act, 1873."—*Solicitors' Journal.*

HUNT'S LAW OF FRAUDS AND BILLS OF SALE.

THE LAW relating to FRAUDULENT CONVEYANCES under the Statutes of Elizabeth and the Bankrupt Acts; with Remarks on the Law relating to Bills of Sale. By ARTHUR JOSEPH HUNT, of the Inner Temple, Esq., Barrister at Law, Author of "A Treatise on the Law relating to Boundaries, Fences and Foreshores." Post 8vo, 9*s*. cloth.

"Mr. Hunt has brought to bear upon the subject a clearness of statement, an orderliness of arrangement and a subtlety of logical acuteness which carry him far towards a complete systematization of all the cases. Neither has his industry been lacking: the cases that have arisen under "The Bankruptcy Act, 1869," and under the Bills of Sale Act, have been carefully and completely noted up and disposed by him in their appropriate places. The index also is both accurate and careful, and secures much facility of reference to the various matters which are the subjects of the work."—*Law Magazine.*

"Though smaller in size, Mr. Hunt's book deals with fraudulent conveyances under the Bankruptcy Acts, a subject which Mr. May in his work left almost untouched, although his book has the undoubted merit of being the first to break fresh ground in treating fraudulent conveyances in a separate volume. In reviewing that book last year we took occasion, while praising the industry and care with which it was compiled, to remark on the obscurity of its style. In this respect its younger rival has considerable advantage. Mr. Hunt's book is as readable as a treatise on so technical a subject can well be made. Mr. Hunt's arrangement of his materials follows an orderly and intelligible plan. The index is apparently carefully prepared, and the table of cases shows that none of the recent cases have been overlooked. Mr. Hunt has produced a really useful book unencumbered by useless matter, which deserves great success as a manual of the law of fraudulent dispositions of property."—*Law Journal.*

"The author has collected with industry and care the authorities bearing on the question he has undertaken to deal with. The matter is conveniently broken up, and the reader is assisted by a good index."—*Solicitors' Journal.*

CHUTE'S EQUITY IN RELATION TO COMMON LAW.

EQUITY UNDER THE JUDICATURE ACT, or the Relation of Equity to Common Law: with an APPENDIX, containing the High Court of Judicature Act, 1873, and the Schedule of Rules. By CHALONER WILLIAM CHUTE, Barrister at Law; Fellow of Magdalen College, Oxford; Lecturer to the Incorporated Law Society. Post 8vo. 9*s*. cloth.

"All the more important branches of Equity are fully discussed by Mr. Chute; and we may add that his style presents a very agreeable contrast to the general style of law books. In conclusion, we would heartily recommend this most instructive and interesting work to the perusal of the student, regretting that the limits of our space confine us to so brief a notice of it."—*Law Examination Reporter.*

"Mr. Chute's Lectures on Equity attracted considerable attention when they were delivered before the Incorporated Law Society, and he has done wisely in making them the basis of the present volume, which can scarcely fail to become a standard work on the subject of which it treats."—*Morning Post.*

"Mr. Chute has a chance of prolonged existence. His book is not on the Judicature Act. His manner is eminently philosophical, and proves the capacity of the author for the position of a lecturer, while it is just the kind of teaching by which students are attracted to the light. Students may here congratulate themselves on the possibility of finding, within the limits of two hundred pages, many of the chief doctrines of Equity, set forth briefly, lucidly and completely."—*Law Journal.*

"The book is deserving of praise, both for clearness of exposition and for the interesting way in which modern cases are used to illustrate the doctrines expounded. As it stands it appears to us to be a useful guide to the leading principles of Equity Jurisprudence. The book is written in easy and familiar language, and is likely to prove more attractive to the student than many formal treatises."—*Solicitors' Journal.*

"To the student commencing to study under the new system Mr. Chute's treatise may prove of service. He thinks clearly, writes very well. As a small and meritorious contribution to the history of jurisprudence it deserves to be welcomed."—*Law Times.*

"The work is conscientiously done, and will be useful to the student at the present moment."—*Echo.*

DE COLYAR'S LAW OF GUARANTEES.

A TREATISE on the LAW of GUARANTEES and of PRINCIPAL and SURETY. By HENRY A. DE COLYAR, of the Middle Temple, Barrister at Law. 8vo. 14*s*. cloth.

"Mr. Colyar's work contains internal evidence that he is quite at home with his subject. His book has the great merit of thoroughness. Hence its present value, and hence we venture to predict will be its enduring reputation."—*Law Times.*

"The whole work displays great care in its production; it is clear in its statements of the law, and the result of the many authorities collected is stated with an intelligent appreciation of the subject in hand."—*Justice of the Peace.*

"The volume before us is a very clear and trustworthy statement of the present bearing and scope of the law on all such questions."—*Standard.*

"So far as we can judge, Mr. De Colyar has done his work very thoroughly indeed, and the treatise that he has produced is one likely to be of great value."—*Morning Advertiser.*

"The book is clearly written, and the author appears to have expended upon it much labour and thought. It is, altogether, an admirable text book, and its lucidity deserves to be imitated by the writers of law books."—*Echo.*

THE BAR EXAMINATION JOURNAL.

THE BAR EXAMINATION JOURNAL, containing the Examination Papers on all the subjects, with Answers, set at the General Examination for Call to the Bar. Edited by A. D. TYSSEN, B.C.L., M.A., of the Inner Temple, and Sir R. K. WILSON, Bart., M.A., of Lincoln's Inn, Barristers-at-Law. Published in Numbers, 8vo., 3*s*. each, by post, 3*s*. 1*d*., after the respective Examinations for Calls to the Bar in each year. Nos. 1, 2, 3, 4, 5, 6, 7 & 8. Trin. & Michs., 1871, 1872 and 1873, and Hilary, East. and Trin., 1874, may now be had.

*** *Copies of Vol. I. of the Bar Examination Journal, containing Nos. 1 to 6, complete with Indexes, &c., may be had, price* 18*s. cloth.*

COLLIER'S LAW OF CONTRIBUTORIES.

A TREATISE ON THE LAW OF CONTRIBUTORIES in the Winding-up of Joint Stock Companies. By ROBERT COLLIER, of the Inner Temple, Esq., Barrister-at-Law. Post 8vo. 9*s*. cloth.

"The number and variety of the cases relating to the liability of persons to be placed on the list of contributories in the winding-up of Joint Stock Companies, suggest that it may be useful to collect and arrange the most important of these cases, to point out how far the law may be considered settled, how far it remains unsettled, and to indicate the principles by which some decisions, apparently conflicting, may be reconciled. This is the task I have endeavoured to perform in as small a space as the subject admits of."—*Preface.*

KELLY'S CONVEYANCING DRAFTSMAN.

THE DRAFTSMAN: containing a Collection of Concise Precedents and Forms in Conveyancing; with Introductory Observations and Practical Notes. By JAMES H. KELLY. Post 8vo. 6*s*. cloth.

"Mr. Kelly's object is to give a few precedents of each of those instruments which are most commonly required in a solicitor's office, and for which precedents are not always to be met with in the ordinary books on conveyancing. The idea is a good one, and the precedents contained in the book are, generally speaking, of the character contemplated by the author's design We have been favourably impressed with a perusal of several of the precedents in this book, and practitioners who have already adopted forms of their own will probably find it advantageous to collate them with those given by Mr. Kelly. Each set of precedents is prefaced by a few terse and practical observations."—*Solicitors' Journal.*

"Such statements of law and facts as are contained in the work are accurate."—*Law Journal.*

"It contains matter not found in the more ambitious works on conveyancing, and we venture to think that the student will find it a useful supplement to his reading on the subject of conveyancing."—*Law Examination Journal.*

FAWCETT'S LAW OF LANDLORD AND TENANT.

A COMPENDIUM of the LAW of LANDLORD and TENANT. By WILLIAM MITCHELL FAWCETT, Esq., of Lincoln's Inn, Barrister-at-Law. 1 vol. 8vo. 14*s*. cloth.

"This new compendium of the law on a wide and complicated subject, upon which information is constantly required by a vast number of persons, is sure to be in request. It never wanders from the point, and being intended not for students of the law, but for lessors and lessees, and their immediate advisers, wisely avoids historical disquisitions, and uses language as untechnical as the subject admits."—*Law Journal.*

"Mr. Fawcett takes advantage of this characteristic of modern law to impart to his compendium a degree of *authenticity* which greatly enhances its value as a convenient medium of reference, for he has stated the law in the very words of the authorities."—*Law Magazine.*

"The amount of information compressed into the book is very large. The plan of the book is extremely good, and the arrangement adopted has enabled the author to put together in one place the whole law on any particular branch of the subject, and to avoid repetitions. In this respect, though probably from its smaller size it must contain less information than Woodfall, it will be found far more convenient for ordinary use than that treatise."—*Solicitors' Journal.*

"Above all, it has been his purpose to state the law in the language of the authorities, presenting the principles enunciated in the very words of the judges. Another excellent feature is a concise summary of the effect of each enactment in the marginal notes. It will be seen from this that the book is thoroughly practical; and as such will doubtless find a favorable reception from the profession."—*Law Times.*

GACHES' TOWN COUNCILLORS AND BURGESSES MANUAL.

THE TOWN COUNCILLORS AND BURGESSES MANUAL: a popular Digest of Municipal and Sanitary Law, with information as to Charters of Incorporation, and a useful Collection of Forms, especially adapted for newly Incorporated Boroughs. By LOUIS GACHES, L.L.M., B.A., of the Inner Temple, Esq., Barrister-at-Law. Post 8vo. 7*s*. cloth.

"This is a most valuable and useful little Manual for the use of Town Councillors and of all interested and concerned in municipal government. It furnishes, in a cheap and intelligible form, a digest of the Municipal and Sanitary Law. Hitherto a vast proportion of the municipal authorities in England have been absolutely in ignorance of the laws under which they acted, and have been guided in their proceedings partly by the advice of the town clerks, partly by what may be called their intuitive sense of right. The only authorities accessible to them were expensive in the first place, and unnecessarily cumbrous and technical in the second. The present Manual will be found most useful. The state of the law is explained in clear and easily comprehended language, and a slight amount of labour will render any one concerned in the discharge of municipal duties capable at least of understanding clearly whether the municipal or sanitary provisoes have or have not the sanction of the law."—*Standard.*

DAVIS'S COUNTY COURTS PRACTICE AND EVIDENCE.—Fifth Edition.

THE PRACTICE AND EVIDENCE IN ACTIONS IN THE COUNTY COURTS. By JAMES EDWARD DAVIS, of the Middle Temple, Esq., Barrister-at-Law. Fifth Edition. 8vo. 38*s*. cloth.

*** *This is the only work on the County Courts which gives Forms of Plaints and treats fully of the Law and Evidence in Actions and other Proceedings in these Courts.*

"We are glad to learn that Mr. Davis's work has been favourably received. The recent decisions have been important and required noting up. This has been Mr. Davis's task in the edition before us; we recently had occasion to cite his reading of Horsenail *v.* Brace on the subject of imprisonment for debt, and that is a good specimen of the annotations in the last edition. We believe Mr. Davis's is the best and newest work on County Court Practice."—*Law Times.*

"Mr. Davis's works are all conspicuous for clearness and accuracy. He has been called upon to publish a fifth edition of his County Courts by reason of the sale of the former one. This is a practical test of the utility of the work, which is of more value than any theoretical criticism. The present edition will fully sustain the well-earned reputation of the work. The excellence of the work consists in the very marvellous amount which it does include. The Indices show that more than 3,000 cases are quoted in it, and about 1,000 sections of statutes. About 200 forms are also given."—*Solicitors' Journal.*

"Mr. Davis may be congratulated on two achievements: first, that he has produced a complete work on the County Courts, and second, that the profession and the public have bought up four editions of the work and are quite ready for a fifth. It is hardly necessary for us to sum up in favour of a book which is so popular that the several editions of it pass rapidly out of print. All we need say is, that the verdict of the purchasing public has an entire approbation."—*Law Journal.*

DAVIS'S EQUITY AND BANKRUPTCY IN THE COUNTY COURTS.

The JURISDICTION and PRACTICE of the COUNTY COURTS in Equity (including Friendly Societies), Admiralty, Probate of Wills, Administration, and in Bankruptcy. By J. E. DAVIS, of the Middle Temple, Esq., Barrister-at-Law. 1 vol. 8vo. 18*s*. cloth.

*** *This work, although issued separately, forms a Supplementary, or Second, Volume to Davis's County Courts Practice and Evidence in Actions.*

CRUMP'S PRINCIPLES OF MARINE INSURANCE.

AN ALPHABETICAL CLASSIFICATION OF THE LEGAL PRINCIPLES AFFECTING MARINE INSURANCE, embracing both those of England and America. By F. OCTAVIUS CRUMP, of the Middle Temple, Esq, Barrister at Law. Very nearly ready. In 1 vol. royal 8vo.

SHELFORD'S RAILWAYS.—Fourth Edition, by Glen.

SHELFORD'S LAW of RAILWAYS, containing the whole of the Statute Law for the Regulation of Railways in England, Scotland and Ireland. With Copious Notes of decided Cases upon the Statutes, Introduction to the Law of Railways and Appendix of Official Documents. Fourth Edition, by W. CUNNINGHAM GLEN, Barrister at Law, Author of the "Law of Highways," "Law of Public Health and Local Government," &c. 2 vols. royal 8vo. 63s. cloth.

"Though we have not had the opportunity of going conscientiously through the whole of this elaborate compilation, we have been able to devote enough time to it to be able to speak in the highest terms of the judgment and ability with which it has been prepared. Its execution quite justifies the reputation which Mr. Glen has already acquired as a legal writer, and proves that no one could have been more properly singled out for the duty he has so well discharged. *The work must take its unquestionable position as the leading Manual of the Railway Law of Great Britain.* . . . . . The cases seem to have been examined, and their effect to be stated with much care and accuracy, and no channel from which information could be gained has been neglected. Mr. Glen, indeed, seems to be saturated with knowledge of his subject. . . . The value of the work is greatly increased by a number of supplemental decisions, which give all the cases up to the time of publication, and by an index which appears to be thoroughly exhaustive."—*Law Magazine.*

"Mr. Glen has done wisely in preserving that reputation, and, as far as possible, the text of Shelford—though very extensive alterations and additions have been required. But he has a claim of his own, He is a worthy successor of the original author, and possesses much of the same industry, skill in arrangement and astuteness in enumerating the points really decided by cited cases. But we have said enough of a work already so well known. It will have a place not in the library of the lawyer alone. It is a book which every railway office should keep on its shelf for reference."—*Law Times.*

"Mr Glen has modestly founded his work as a superstructure on that of Mr. Leonard Shelford, but he has certainly claims to publish it as a purely independent composition. The toil has been as great, and the reward ought to be as complete, as if Mr. Glen had disregarded all his predecessors in the production of treatises on railway law. . . . . Since the year 1864 he has been unceasingly engaged in collecting materials, and though he has been ready for the printer for some time, and has delayed the appearance of the volumes in the expectation of legislative changes in railway law, yet he has expended full five years of care and attention on his work. Let us hope that he will have no cause to think his labour has been in vain. *At any rate we may venture to predict that Mr. Cunningham Glen's edition of Shelford on Railways will be the standard work of our day in that department of law.*"—*Law Journal.*

"Far be it from us to under value Mr. Shelford's labours, or to disparage his merits. But we may nevertheless be permitted to observe that *what has hitheto been considered as 'the best work on the subject'* (Shelford), *has been immeasurably improved by the application of Mr. Glen's diligence and learning.* . . . Sufficient, however, has been done to show that it is in every respect worthy of the reputation which the work has always enjoyed. We feel little doubt that the credit of that work will be greatly increased by Mr. Glen's instrumentality, and that not only will he have ably maintained its reputation by his successful exertions, but that he will have added materially to it."—*Justice of the Peace.*

"The practitioner will find here collected together all the enactments bearing on every possible subject which may come before him in connection with railways or railway travelling. Whatever questions may arise the lawyer, who has this book upon his shelves, may say to himself, 'If there has been any legislation at all connected with this branch of the subject I shall at once find it in Shelford;' and it needs not to be said that on this account the book will be a very 'comfortable' one to possess. The collection is equally exhaustive in the matter of rules, orders, precedents and documents of official authority. . . . To sum up our review; as a collection of statutes and general information the work will prove extremely useful, because in these respects it is so perfectly exhaustive."—*Solicitors' Journal.*

SHELFORD'S JOINT STOCK COMPANIES.—Second Edition by PITCAIRN and LATHAM.

SHELFORD'S LAW of JOINT STOCK COMPANIES, containing a Digest of the Case Law on that subject; the Companies Acts, 1862, 1867, and other Acts relating to Joint Stock Companies; the Orders made under those Acts to regulate Proceedings in the Court of Chancery and County Courts; and Notes of all Cases interpreting the above Acts and Orders. Second Edition, much enlarged, and bringing the Statutes and Cases down to the date of publication. By DAVID PITCAIRN, M.A., Fellow of Magdalen College, Oxford, and of Lincoln's Inn, Barrister at Law, and FRANCIS LAW LATHAM, B.A. Oxon, of the Inner Temple, Barrister at Law, Author of "A Treatise on the Law of Window Lights." 8vo. 21*s*. cloth.

"We may at once state that, in our opinion, the merits of the work are very great, and we confidently expect that it will be, at least for the present, the standard manual of joint stock company law. That great learning and research have been expended by Mr. Pitcairn no one can doubt who reads only a few pages of the book; the result of each case which has any bearing upon the subject under discussion is very lucidly and accurately stated. We heartily congratulate him on the appearance of this work, for which we anticipate a great success. There is hardly any portion of the law at the present day so important as that which relates to joint stock companies, and that this work will be the standard authority on the subject we have not the shadow of a doubt."—*Law Journal.*

"After a careful examination of this work we are bound to say that we know of no other which surpasses it in two all-important attributes of a law book: first, a clear conception on the part of the author of what he intends to do and how he intends to treat his subject; and secondly, a consistent, laborious and intelligent adherence to his proposed order and method. All decisions are noted and epitomised in their proper places, the practice-decisions in the notes to Acts and Rules, and the remainder in the introductory account or digest. In the digest Mr. Pitcairn goes into everything with original research, and nothing seems to escape him. It is enough for us that Mr. Pitcairn's performance is able and exhaustive. Nothing is omitted, and everything is noted at the proper place. In conclusion, we have great pleasure in recommending this edition to the practitioner. Whoever possesses it, and keeps it noted up, will be armed on all parts and points of the law of joint-stock companies."—*Solicitors' Journal.*

"Although nominally a second edition of Mr. Shelford's treatise it is in reality an original work; the form and arrangement adopted by Mr. Shelford have been changed, and, we think, improved, by Mr. Pitcairn. A full and accurate index also adds to the value of the work, the merits of which we can have no doubt will be fully recognized by the profession."—*Law Magazine.*

HEALES'S HISTORY AND LAW OF PEWS.

THE HISTORY and the LAW of CHURCH SEATS or PEWS. By ALFRED HEALES, F.S.A., Proctor in Doctors' Commons. 2 vols. 8vo. 16*s*. cloth.

"The historical volume will be most interesting to the general reader, but the volume devoted to the law of the subject will be of great use to all persons—the clergy and churchwardens—who have anything to do with the administration of church affairs. It will also be found a valuable text-book by lawyers who are engaged in suits appertaining to the pew question. Altogether we can commend Mr. Heales's book as a well conceived and well executed work, which is evidence of the author's industry, talent and learning."—*Law Journal.*

GRANT'S BANKERS AND BANKING COMPANIES, by R. A. Fisher.

GRANT'S TREATISE on the LAW RELATING TO BANKERS AND BANKING COMPANIES. Third Edition. With an Appendix of the Statutes. By R. A. FISHER, Esq., Judge of County Courts 8vo. 28*s.* cloth.

"Eight years sufficed to exhaust the second edition of this valuable and standard work, we need only now notice the improvements which have been made. We have once more looked through the work, and recognize in it the sterling merits which have acquired for it the high position which it holds in standard legal literature. Mr. Fisher has annotated all the recent cases."—*Law Times.*

"Prior to the publication of Mr. Grant's work on this subject, no treatise containing the required information existed; and, since its appearance, such important alterations respecting banks and bankers have been introduced, that the work needed in many parts entire reconstruction and arrangement. The last two editions have been entrusted to the care of the gentleman whose name is attached to the work. Mr. Fisher's name is in itself a guarantee that his duties of editor have been ably and conscientiously performed. In this respect we can assure those interested in the subject of this book, that they will in no respect be disappointed; obsolete and immaterial matter has been eliminated, and the present edition presents the existing law of bankers and banking companies as it at present exists."—*Justice of the Peace.*

"It is eight years since Mr. Fisher published the second edition of this practical book, and it now appears again re-edited by the same hand. Its steady sale shows that the public for whom it is written have recognized the kindness that was meant them, and makes a more elaborate recommendation superfluous. We must add, however, that the additions to the work, and the alterations in it which Mr. Fisher has made, are, as far as we can judge, real improvements, and that he has not failed to follow out the recent cases. The book used with care will no doubt be of great practical service to bankers and their legal advisers."—*Solicitors' Journal.*

BAYLIS'S LAW OF DOMESTIC SERVANTS, by Monckton. Fourth Edition.

THE RIGHTS, DUTIES AND RELATIONS OF DOMESTIC SERVANTS AND THEIR MASTERS AND MISTRESSES. With a short Account of Servants' Institutions, &c., and their Advantages. By T. HENRY BAYLIS, M.A., Barrister at Law of the Inner Temple. Fourth Edition, with Considerable Additions, by EDWARD P. MONCKTON, Esq., B.A., Barrister at Law of the Inner Temple. Foolscap 8vo. 2*s.* cloth.

"Mr. Monckton has edited a fourth edition of Mr. Baylis's little work on 'The Rights, Duties and Relations of Domestic Servants and their Masters and Mistresses.' It has evidently found great favour with the public and is an excellent manual of the subject of which it treats."—*Law Times.*

"This little work thoroughly deserves the success it has gained. It contains in a small compass the law on the important subject to which it relates, and, a somewhat unusual feature in a law book, it also affords much sensible advice, not of a strictly legal kind, both to servants and their employers. There are few solicitors who have not from time to time to advise employers on their difficulties with their domestic servants. This volume will be found a convenient handbook to the leading authorities on the subject."—*Solicitors' Journal.*

REDMAN ON ARBITRATIONS AND AWARDS.

A CONCISE TREATISE on the LAW of ARBITRATIONS and AWARDS; with an Appendix of Precedents and Statutes. By JOSEPH HAWORTH REDMAN, of the Middle Temple, Esq., Barrister at Law, Author of "A Treatise on the Law of Railway Companies as Carriers." 8vo. 12*s.* cloth.

"A singular feature in this work is, that it has no foot notes, and this is a decided recommendation. The arrangement is good, the style clear, and the work exhaustive. There is a useful appendix of precedents and statutes, and a very good index."—*Law Times.*

"This is likely to prove a useful book in practice. All the ordinary law on the subject is given shortly and in a convenient and accessible form, and the index is a good one. The book is of a portable size and moderate price, and contains a fairly complete appendix of precedents. It is likely enough that it will meet a demand both in the profession and amongst lay arbitrators."—*Solicitors' Journal.*

"We have no doubt but that the work will be useful. The precedents of awards are clearly and concisely drawn. The arrangement of chapters is conveniently managed. The law is clearly stated, and, so far as we can judge, all the important cases bearing directly on the subject are given, while the index appears reasonably copious. These facts, combined with the smallness of the volume, ought to make the book a success."—*Law Journal.*

MR. JUSTICE LUSH'S COMMON LAW PRACTICE. By DIXON.—Third Edition.

LUSH'S PRACTICE of the SUPERIOR COURTS of COMMON LAW at WESTMINSTER, in Actions and Proceedings over which they have a common Jurisdiction: with Introductory Treatises respecting Parties to Actions; Attornies and Town Agents, their Qualifications, Rights, Duties, Privileges and Disabilities; the Mode of Suing, whether in Person or by Attorney, in Formâ Pauperis, &c. &c. &c.; and an Appendix, containing the authorised Tables of Costs and Fees, Forms of Proceedings and Writs of Execution. Third Edition. By JOSEPH DIXON, of Lincoln's Inn, Esq., Barrister-at-Law. 2 vols. 8vo. 46*s.* cloth.

DOWELL'S STAMP DUTIES AND STAMP LAWS.

A HISTORY and EXPLANATION of the STAMP DUTIES, containing Remarks on the Origin of Stamp Duties, a History of the Duties in this Country from their commencement to the present time, Observations on the past and the present State of the Stamp Laws, an Explanation of the System and the Administration of the Tax, Observations on the Stamp Duties in Foreign Countries and the Stamp Laws at present in force in the United Kingdom; with Notes, Appendices and a copious Index. By STEPHEN DOWELL, M.A., of Lincoln's Inn, Assistant Solicitor of Inland Revenue. 8vo. 12*s.* 6*d.* cloth.

DOWELL'S INCOME TAX LAWS.

THE INCOME TAX LAWS at present in force in the United Kingdom, with Practical Notes, Appendices, and a copious Index. By STEPHEN DOWELL, M.A., of Lincoln's Inn, Assistant Solicitor of Inland Revenue. 8vo. 12*s.* 6*d.* cloth.

SMITH'S PRACTICE OF CONVEYANCING.

An ELEMENTARY VIEW of the PRACTICE of CONVEYANCING in SOLICITORS' OFFICES, with an Outline of the Proceedings under the Transfer of Land and Declaration of Title Acts, 1862, for the use of Articled Clerks. By EDMUND SMITH, B.A., late of Pembroke Coll. Cambridge, Attorney and Solicitor. Post 8vo. 6*s.* cloth.

BEDFORD'S INTERMEDIATE EXAMINATION GUIDE.

THE INTERMEDIATE EXAMINATION GUIDE, containing a Digest of the Examination Questions on Common Law, Conveyancing and Equity, with the Answers. By EDWARD HENSLOWE BEDFORD, Solicitor, Temple, Editor of the "Preliminary," "Intermediate," and "Final," &c.. 2 vols. 8vo. 14*s.* 6*d.* cloth.

*** *Vol. II. of the above Work, price* 4*s.*, *may be had separately.* (*The Work appointed by the Examiner in Equity for* 1874, *is Hayne's Outlines of Equity.*)

BEDFORD'S FINAL EXAMINATION GUIDE.

THE FINAL EXAMINATION GUIDE to the PRACTICE of the SUPREME COURT of JUDICATURE, containing a Digest of the Final Examination Questions, with the Answers, under the Supreme Court of Judicature Act. By EDWARD HENSLOWE BEDFORD, Solicitor, Temple. In 1 vol. 8vo. Preparing for Publication.

LEWIS'S INTRODUCTION TO EQUITY DRAFTING.

PRINCIPLES of EQUITY DRAFTING, with an APPENDIX of FORMS. By HUBERT LEWIS, B.A., of the Middle Temple, Barrister-at-Law, Author of "Principles of Conveyancing explained and Illustrated." Post 8vo. 12*s.* cloth.

*** *This Work, intended to explain the general principles of Equity Drafting, as well as to exemplify Pleadings of the Court of Chancery, will be useful to lawyers resorting to the New Equity Jurisdiction of the County Courts.*

"Practically the rules that apply to the drafting and reading of bills will apply to the composition of the County Court document that will be substituted for the bill. Mr. Lewis's work is therefore likely to have a much wider circle of readers than he could have anticipated when he commenced it, for almost every page will be applicable to County Court Practice, should the bill, in any shape or under any title be retained in the new jurisdiction,—without it we fear that equity in the County Courts will be a mass of uncertainty,—with it every practitioner must learn the art of equity drafting, and he will find no better teacher than Mr. Lewis."—*Law Times.*

"We have little doubt that this work will soon gain a very favourable place in the estimation of the Profession. It is written in a clear and attractive style, and is plainly the result of much thoughtful and conscientious labour."—*Law Magazine and Review.*

BAINBRIDGE ON MINES.—Third Edition.

A TREATISE on the LAW of MINES and MINERALS. By WILLIAM BAINBRIDGE, Esq., F.G.S., of the Inner Temple, Barrister at Law. Third Edition, carefully revised, and much enlarged by additional matter relating to Rights of Way and Water and other Mining Easements, the Construction of Leases, Cost Book and General Partnerships, Injuries from Undermining and Inundations, Barriers and Working out of Bounds and Disputes with Workmen. With an Appendix of Forms and Customs, and a Glossary of English Mining Terms. 8vo. 30*s*. cloth.

"After an interval of eleven years we have to welcome a new edition of Mr. Bainbridge's work on Mines and Minerals. It would be entirely superfluous to attempt a general review of a work which has for so long a period occupied the position of the standard work on this important subject. Those only who, by the nature of their practice, have learned to lean upon Mr. Bainbridge as on a solid staff, can appreciate the deep research, the admirable method, and the graceful style of this model treatise. Therefore we are merely reduced to the enquiry, whether the law has, by force of statutes and of judicial decisions, undergone such development, modification or change since the year 1856 as to justify a new edition? That question may be readily answered in the affirmative; and the additions and corrections made in the volume before us furnish ample evidence of the fact. It may be also stated that this book, being priced at 30*s*., has the exceptional character of being a cheap law publication."—*Law Journal.*

"Mr. Bainbridge was, we believe, the first to collect and publish, in a separate treatise, the Law of Mines and Minerals, and the work was so well done that his volume at once took its place in the law library as the text book on the subject to which it was devoted. This work must be already familiar to all readers whose practice brings them in any manner in connection with mines or mining, and they well know its value. We can only say of this new edition that it is in all respects worthy of its predecessors."—*Law Times.*

MOSELY'S ARTICLED CLERKS' HANDY BOOK.

A PRACTICAL HANDY BOOK of ELEMENTARY LAW designed for the use of ARTICLED CLERKS, with a course of Study, and Hints on Reading for the Intermediate and Final Examinations. By M. S. MOSELY, Solicitor, Clifford's Inn Prizeman, M. T. 1867. 12mo. 7*s*. cloth.

"Mr. Mosely's little book might be placed with advantage in the hands of students about to enter a solicitor's office. It will tell them many things, simple enough, no doubt, but still things of which in most cases they will be ignorant, and for want of knowing which they might otherwise lose much time; and will afford them useful directions as to a course of reading."—*Solicitors' Journal.*

"To some extent his plan is new, and the novelty consists in this, that he sketches out a course of work and study for each year's pupilage. This plan is no doubt the one Mr. Mosely sketched out for himself when a clerk, and followed up with so much success. To those who really will work from the commencement of their pupilage and carry on their labours steadily and systematically to the end it will be useful."—*Law Examination Reporter.*

"This useful little book is intended for the use of articled clerks during the period of their articles. The style of this book is peculiar; it is an exaggeration of the style adopted by Mr. Haynes in his admirable 'Outlines of Equity.' The author seems to think the adoption of such a style the only way to make the study of the law popular, and we are not prepared to say he is wrong."—*Law Magazine and Review.*

"Both parts are well worked out, and will be found useful; but in the second division of each chapter the law student will find most valuable information, as there Mr. Mosely not only marks out the course of reading which he recommends for each year, but also carefully analyses the contents of each book, and points out those chapters and subjects which it will be most advantageous for the student to master at the first reading, and those which he ought to defer till a second perusal and a wider experience have made him more competent to understand them. The style is remarkably good."—*Irish Law Times.*

PHILLIMORE'S INTERNATIONAL LAW.—Second Edition.

COMMENTARIES on INTERNATIONAL LAW.

By the Right Hon. Sir ROBERT PHILLIMORE, Knt., Member of H.M.'s Most Hon. Privy Council, and Judge of the High Court of Admiralty of England. 4 vols., 8vo. 6*l.* 3*s.* cloth.

*** *Vol. 1, second edition, price 25s., Vol. 2, second edition, price 28s., Vol. 3, second edition, price 36s. Vol. 4, second edition, price 34s. cloth, may be had separately to complete sets.*

Extract from Pamphlet on "American Neutrality," by GEORGE BEMIS (*Boston, U.S.*).—"Sir Robert Phillimore, the present Queen's Advocate, and author of the most comprehensive and systematic 'Commentaries on International Law' that England has produced."

"The authority of this work is admittedly great, and the learning and ability displayed in its preparation have been recognized by writers on public law both on the Continent of Europe and in the United States. With this necessarily imperfect sketch we must conclude our notice of the first volume of a work which forms an important contribution to the literature of public law. The book is of great utility, and one which should find a place in the library of every civilian."—*Law Magazine.*

"We cordially welcome a new edition of vol. 1. It is a work that ought to be studied by every educated man, and which is of constant use to the public writer and statesman. We wish, indeed, that our public writers would read it more abundantly than they have done, as they would then avoid serious errors in discussing foreign questions. Any general criticism of a book which has been received as a standard work would be superfluous; but we may remark that whilst Sir Robert strictly adheres to the canons of legal authorship, and never gives a statement without an authority or offers a conclusion which is not manifestly deducible from established facts or authoritative utterances, yet so lucid is his style, we had almost said so popular, so clear is the enunciation of principles, so graphic the historical portions, that the book may be read with pleasure as well as profit."—*Law Journal.*

"It is the most complete repository of matters bearing upon international law that we have in the language. We need not repeat the commendations of the text itself as a treatise or series of treatises which this journal expressed upon the appearance of the two first volumes. The reputation of the Author is too well established and too widely known. We content ourselves with testifying to the fulness and thoroughness of the work as a compilation after an inspection of the three volumes (second edition)."—*Boston (United States) Daily Advertiser.*

"Sir Robert Phillimore may well be proud of this work as a lasting record of his ability, learning and his industry. Having read the work carefully and critically, we are able to highly recommend it. Usually when such a work reaches a second edition critical commendation is superfluous, but the present is an exceptional case, because Phillimore's Commentaries will be of the greatest use to many non-professional readers who, as public men and public writers, find it necessary to study international law. It is in itself a well digested body of laws."—*Law Journal (second notice).*

"We have within a short period briefly noticed the previous volumes of the important work of which the fourth volume is now before us. We have more than once recognized the ability and profound research which the learned author has brought to bear upon the subject, but this last volume strikes us as perhaps the most able and lucid, and, in addition to these merits, it deals with a division of international jurisprudence which is of very great interest, namely, private international law or comity. The issue of a second edition proves that it has attained a position of authority and is favourably received by international jurists. We have no grounds for impugning its accuracy, and as a compilation it must receive our acknowledgment that it is able and learned."—*Law Times.*

"The latest arrivals bring us Vol. 4 of this great work, it is the close of the second edition begun a few years ago. Sir Robert Phillimore has one great advantage over new commentators on International Law, in that he is and has always been a working publicist, judge and parliamentarian, and not a mere student of the closet It is his life-long habit to look at things in a practical way in the concrete and to judge of propositions by their adaptation tried or probable to the working world of public transactions. The reputation and authority of Dr. Phillimore on this side of the water are too well known and established to require any general commendation of this work. It is enough to recognize the fact that private international law is becoming of more and more importance with the vastly increased opportunities for private dealings between citizens or inhabitants of different nationalities and to changings of domicil and habitancy, and to express gratitude that the learned, experienced and thorough commentator has made the latest contribution towards peace and good understanding among civilized men."—*Boston (United States) Daily Advertiser, Dec.* 3, 1874 (*second notice*).

MOZLEY & WHITELEY'S CONCISE LAW DICTIONARY.

A CONCISE LAW DICTIONARY, containing short and simple definitions of the Terms used in the Law. By HERBERT NEWMAN MOZLEY, M.A., Fellow of King's College, Cambridge, and of Lincoln's Inn, Esq., and GEORGE CRISPE WHITELEY, M.A., Cantab, of the Middle Temple, Esq., Barristers-at-Law. Preparing for publication. In 1 Vol. 8vo. cloth.

*** *This work, which has been for some time in preparation, purposes to give short and simple explanations of the technical terms and phrases used in the Law, including both those found in the older legal works and those of more modern and every-day occurrence; the object being to produce a book which shall be useful not only to Law Students and to members of both branches of the Legal Profession, but also to magistrates and the general public.*

NASMITH'S INSTITUTES OF ENGLISH PUBLIC LAW.

THE INSTITUTES of ENGLISH PUBLIC LAW, embracing an Outline of General Jurisprudence, the Development of the British Constitution, Public International Law; and the Public Municipal Law of England. By DAVID NASMITH, Esq., LL.B., of the Middle Temple, Barrister at Law, Author of the Chronometrical Chart of the History of England, &c., Joint Translator of Ortolan's History of Roman Law. Post 8vo. 12*s.* cloth.

"We believe the plan of the book is the right one. We have only to add that we know of no book which, in our opinion, might more fitly, or perhaps so fitly, be placed in the hands of a beginner in the study of law."—*Law Magazine.*

CLARK'S DIGEST OF THE HOUSE OF LORDS CASES.

A DIGESTED INDEX to all the REPORTS in the HOUSE of LORDS, from the Commencement of the Series by Dow, in 1814, to the end of the Eleven Volumes of House of Lords Cases; with references to more recent decisions. By CHARLES CLARK, Esq., of the Middle Temple, Barrister, Reporter by Appointment to the House of Lords. 1 vol., royal 8vo. 31*s.* 6*d.* cloth.

LOVESY'S LAW OF MASTERS AND WORKMEN.

The LAW of ARBITRATION between MASTERS and WORKMEN, as founded upon the Councils of Conciliation Act of 1867 (30 & 31 Vict. c. 105), the Master and Workmen Act (5 Geo. 4, c. 96), and other Acts, with an Introduction and Notes. By C. W. LOVESY, Esq., of the Middle Temple, Barrister at Law. 12mo. 4*s.* cloth.

BARRY'S PRACTICE OF CONVEYANCING.

A TREATISE on the PRACTICE of CONVEYANCING. By W. WHITTAKER BARRY, Esq., of Lincoln's Inn, Barrister-at-Law, late holder of the Studentship of the Inns of Court, and Author of "The Statutory Jurisdiction of the Court of Chancery." 8vo. 18*s*. cloth.

CONTENTS.

CHAP. I. Abstracts of Title.—CHAP. 2. Agreements.—CHAP. 3. Particulars and Conditions of Sale.—CHAP. 4. Copyholds.—CHAP. 5. Covenants.—CHAP. 6. Creditors' Deeds and Arrangements.—CHAP. 7. Preparation of Deeds.—CHAP. 8. On Evidence.—CHAP. 9. Leases.—CHAP. 10. Mortgages.—CHAP. 11. Partnership Deeds and Arrangements.—CHAP. 12. Sales and Purchases.—CHAP. 13. Settlements.—CHAP. 14. Wills.—CHAP. 15. The Land Registry Act, 25 & 26 Vict. c. 53.—CHAP. 16. The Act for obtaining a Declaration of Title, 25 & 26 Vict. c. 67.—INDEX.

"This treatise supplies a want which has long been felt. Mr. Barry's work is essentially what it professes to be, a treatise on the practice of conveyancing, in which the theoretical rules of real property law are referred to only for the purpose of elucidating the practice. The treatise is the production of a person of great merit and still greater promise." —*Solicitors' Journal.*

We feel bound to strongly recommend it to the practitioner as well as the student. The author has proved himself to be a master of the subject, for he not only gives a most valuable supply of practical suggestions, but criticises them with much ability, and we have no doubt that his criticism will meet with general approval."—*Law Magazine.*

"Readers who recal the instruction they gathered from this treatise when published week by week in the pages of the 'Law Times' will be pleased to learn that it has been re-produced in a handsome volume, which will be a welcome addition to the law library. The information that the treatise so much admired may now be had in the more convenient form of a book will suffice of itself to secure a large and eager demand for it." —*Law Times.*

"The work is clearly and agreeably written, and ably elucidates the subject in hand."—*Justice of the Peace.*

BARRY'S FORMS IN CONVEYANCING.

FORMS and PRECEDENTS in CONVEYANCING; with Introduction and Practical Notes. By W. WHITTAKER BARRY, of Lincoln's Inn, Barrister-at-Law, Author of a "Treatise on the Practice of Conveyancing." 8vo. 21*s*. cloth.

"This work of Mr. Barry's will be found of considerable use to the conveyancing practitioner. We may add that the first six chapters of the first part are especially worthy of the attention of the law student."—*Law Examination Journal.*

CHITTY, Jun., PRECEDENTS IN PLEADING.—3rd Edition.

CHITTY, JUN., PRECEDENTS in PLEADING; with copious Notes on Practice, Pleading and Evidence, by the late JOSEPH CHITTY, Jun., Esq. Third Edition. By the late TOMPSON CHITTY, Esq, and by LEOFRIC TEMPLE, R. G. WILLIAMS, and CHARLES JEFFERY, Esqrs., Barristers at Law. Complete in one vol. royal 8vo. 38*s*. cloth.

TUDOR'S LEADING CASES ON REAL PROPERTY. Second Edition.

A SELECTION of LEADING CASES on the LAW relating to REAL PROPERTY, CONVEYANCING, and the CONSTRUCTION of WILLS and DEEDS; with Notes. By OWEN DAVIES TUDOR, Esq., of the Middle Temple, Barrister at Law, Author of "Leading Cases in Equity." Second Edition. One thick vol., royal 8vo., 42*s*. cloth.

"The Second Edition is now before us, and we are able to say that the same extensive knowledge and the same laborious industry as have been exhibited by Mr. Tudor on former occasions characterize this later production of his legal authorship: and it is enough at this moment to reiterate an opinion that Mr. Tudor has well maintained the high legal reputation which his standard works have achieved in all countries where the English language is spoken, and the decisions of our Courts are quoted."—*Law Magazine and Review.*

"The work before us comprises a digest of decisions which, if not exhaustive of all the principles of our real property code, will at least be found to leave nothing untouched or unelaborated under the numerous legal doctrines to which the cases severally relate. To Mr. Tudor's treatment of all these subjects, so complicated and so varied, we accord our entire commendation. There are no omissions of any important cases relative to the various branches of the law comprised in the work, nor are there any omissions or defects in his statement of the law itself applicable to the cases discussed by him. We cordially recommend the work to the practitioner and student alike, but especially to the former."—*Solicitors' Journal and Reporter.*

"In this new edition, Mr. Tudor has carefully revised his notes in accordance with subsequent decisions that have modified or extended the law as previously expounded. This and the other volumes of Mr. Tudor are almost a law library in themselves, and we are satisfied that the student would learn more law from the careful reading of them, than he would acquire from double the time given to the elaborate treatises which learned professors recommend the student to peruse, with entire forgetfulness that time and brains are limited, and that to do what they advise would be the work of a life." —*Law Times.*

"This well-known work needs no recommendation. Justice, however, to Mr. Tudor requires us to say that familiarity with its pages from its first appearance have convinced us of its value, not only as a repertory of cases, but a judicious summary of the law on the subjects it treats of. So far as we can see, the author has brought down the cases to the latest period, and altogether there have been added about 170 pages of notes in the present edition. As a guide to the present law the book will now be of great value to the lawyer, and it will be especially useful to him when away from a large library."—*Jurist.*

BROWNING'S DIVORCE AND MATRIMONIAL PRACTICE.

THE PRACTICE and PROCEDURE of the COURT for DIVORCE AND MATRIMONIAL CAUSES, including the Acts, Rules, Orders, Copious Notes of Cases and Forms of Practical Proceedings, with Tables of Costs. By W. ERNST BROWNING, Esq., of the Inner Temple, Barrister-at-Law, now Chief Justice of the Leeward Islands. Post 8vo. 8*s*. cloth.

CUTLER AND GRIFFIN'S INDIAN CRIMINAL LAW.

An ANALYSIS of the INDIAN PENAL CODE, including the INDIAN PENAL CODE AMENDMENT ACT, 1870. By JOHN CUTLER, B.A., of Lincoln's Inn, Barrister at Law, Professor of English Law and Jurisprudence, and Professor of Indian Jurisprudence at King's College, London, and EDMUND FULLER GRIFFIN, B.A., of Lincoln's Inn, Barrister at Law. 8vo. 6s. cloth.

"It may be added that the Code is just, at present, out of print, so that the production of an analysis at the present moment is especially opportune. Messrs. Cutler and Griffin have produced a useful little book, and produced it at a time when it will be especially useful."—*Solicitors' Journal.*

GOLDSMITH'S EQUITY.—Sixth Edition.

THE DOCTRINE and PRACTICE of EQUITY: or a concise Outline of Proceedings in the High Court of Chancery, designed principally for the Use of Students. Sixth Edition, according to the recent Statutes and Orders. By GEORGE GOLDSMITH, Esq., M.A., Barrister-at-Law. Post 8vo. 18s. cloth.

"A well-known law student's book, the best, because the most thoroughly complete, yet simplified, instructor in the principles of equity that has ever been provided for him, and that its value has been recognized by those who have made use of it is proved by this, that their commendations have carried it to a sixth edition."—*Law Times.*

"The whole work is elaborated by Mr. Goldsmith with evident care and a determination to deal with all that can come within the scope of the title. It is characterized by comprehensiveness and at the same time conciseness, by clearness of diction and attractiveness of style and avoidance of technicalities which might prove embarrassing to the student, and a close adherence to the purpose as expressed in the preface — *Law Journal.*

"Altogether the author's method and his execution are alike commendable—and we are of opinion that the lawyer, who, as a student, avails himself of the primary intention of Mr. Goldsmith's work by finding in it his first equity reading book or *primer*, will afterwards verify the anticipation of the author by making of it *dilectu juvenili* or *vade mecum* in his later practice."—*Law Magazine.*

"It is difficult to know which to praise most, the excellence and dignity of the style, or the exhaustiveness of the information furnished to the reader. Mr. Goldsmith's plan corresponds to some extent with that adopted by Mr. Haynes in his excellent 'Outlines of Equity,' but his work is more complete than that of Mr. Haynes."—*Law Examination Journal.*

"If a student were confined to the selection of one book on equity, both for its doctrine and practice, he could hardly do better than choose the one before us."—*Solicitors' Journal.*

WRIGHT ON THE LAW OF CONSPIRACY.

THE LAW of CRIMINAL CONSPIRACIES and AGREEMENTS. By R. S. WRIGHT, of the Inner Temple, Barrister at Law, Fellow of Oriel Coll., Oxford. 8vo. 4s. cloth.

"It is with great pleasure that we notice this short but very able and thorough work. It shows not merely unsparing and well directed research, but a power of discrimination and analysis of which it is rarely our good fortune to meet with, and its matter is conveyed in language equally remote from the dry and withered style of the ordinary text-book, and from the oracular diction in which too many of the modern school of jurisprudence enshrine their fine ideas."—*Solicitors' Journal*

"Looking at this work from a purely legal point of view, we have no hesitation in according it very high praise."—*Spectator.*

CHRISTIE'S CRABB'S CONVEYANCING.—Fifth Edition, by Shelford.

CRABB'S COMPLETE SERIES of PRECEDENTS in CONVEYANCING and of COMMON and COMMERCIAL FORMS in Alphabetical Order, adapted to the Present State of the Law and the Practice of Conveyancing; with copious Prefaces, Observations and Notes on the several Deeds. By J. T. CHRISTIE, Esq., Barrister-at-Law. The Fifth Edition, with numerous Corrections and Additions, by LEONARD SHELFORD, Esq., of the Middle Temple, Barrister-at-Law. Two vols. royal 8vo., 3*l.* cloth.

*** *This work, which embraces both the Principles as well as the Practice of Conveyancing, contains likewise every description of Form wanted for Commercial Purposes.*

GENERAL TABLE OF HEADS OF PREFACES AND FORMS.

Abstracts.—Accounts.—Acknowledgments.—Acquittances.—Admittances.—Affidavits, Affirmations or Declarations.—Agreements: to relinquish Business: to Guarantee: for a Lease: before Marriage: for a Partition: between Principal and Agent: for the Sale and Purchase of Estates: for Sale of Copyhold Estates: for Sale of Leaseholds: for Sale of an Advowson.—Annuity: secured on Copyholds.—Annuities: Assignments of.—Appointments: of Guardians.—Apportionment.—Apprenticeship: to the Sea Service: to an Attorney: Assignment of.—Arbitration: Award.—Assignments: Bonds: Leases: Patents: Pews: Policies of Insurance: Reversionary Interests.—Attestations.—Attornments.—Auctions: Particulars of Sale.—Bargains and Sales: of Timber.—Bills of Sale of Goods.—Bonds: Administration: Receiver pending Suit: Post Obit: Stamps on.—Certificates.—Composition: Conveyances in Trust for Creditors.—Conditions: of Sale.—Confirmations.—Consents.—Copartnership: Dissolution of Copartnership.—Covenants: Stamps on: for Production of Title Deeds.—Declarations.—Deeds: I. Nature of Deeds in General: II. Requisites of a Deed: III. Formal parts of Deeds: IV. Where a Deed is necessary or otherwise: V. Construction of Deeds: VI. Avoiding of Deeds: VII. Proof of Deeds: VIII. Admission of Parol Evidence as to Deeds: IX. Possession of Deeds: X. Stamp Duty on Deeds.—Defeasances.—Demises.—Deputation.—Disclaimers.—Disentailing Deeds.—Distress: Notices of.—Dower.—Enfranchisements.—Exchanges.—Feoffments.—Further Charges.—Gifts.—Grants.—Grants of Way or Road.—Indemnities.—Leases: I. Nature of Leases in General: II. Requisites to a Lease: III. Parts of a Lease: IV. Incidents to a Lease: V. Stamps on Leases.—Letters of Credit.—Licences.—Mortgages: of Copyholds: of Leaseholds: Transfer of: Stamp Duty on.—Notes, Orders, Warrants, &c.—Notices: to Quit.—Partition.—Powers: of Attorney.—Presentation.—Purchase Deeds: Conveyance of Copyholds: Assignments of Leaseholds: Stamps on.—Recitals.—Releases or Conveyances: or Discharges.—Renunciations or Disclaimers.—Resignations.—Revocations.—Separation.—Settlements: Stamp Duty on.—Shipping: Bills of Lading: Bills of Sale: Bottomry and Respondentia Bonds: Charter Parties.—Surrenders.—Wills: 1. Definition of Will and Codicil: 2. To what Wills the Act 7 Will. 4 & 1 Vict. c. 26 does not apply: 3. What may be disposed of by Will: 4. Of the capacity of Persons to make Wills: 5. Who may or may not be Devisees: 6. Execution of Wills: 7. Publication of Wills: 8. Revocation of Wills: 9. Lapse of Devises and Bequests: 10. Provisions and Clauses in Wills: 11. Construction of Wills.

"In carefulness we have in him a second Crabb, in erudition Crabb's superior; and the result is a work of which the original author would have been proud, could it have appeared under his own auspices. It is not a book to be quoted, nor indeed could its merits be exhibited by quotation. It is essentially a book of practice, which can only be described in rude outline and dismissed with applause, and a recommendation of it to the notice of those for whose service it has been so laboriously compiled."—*Law Times.*

"Mr. Shelford has proved himself in this task to be not unworthy of his former reputation. To those familiar with his other works it will be a sufficient recommendation of this work that Mr. Shelford's name appears on the title-page; if there be any who are not well acquainted with

Christie's Crabb's Conveyancing—*continued.*

them, we venture to recommend to such the work before us, as the most generally useful and convenient collection of precedents in conveyancing, and of commercial forms for ordinary use, which are to be had in the English language."—*Solicitors' Journal and Reporter.*

"To this important part of his duty—the remodelling and perfecting of the Forms—even with the examination which we have already been able to afford this work, we are able to affirm, that the learned editor has been eminently successful and effected valuable improvements."—*Law Magazine and Review.*

"It possesses one distinctive feature in devoting more attention than usual in such works to forms of a commercial nature. On the whole the two volumes of Crabb's Precedents, as edited by Mr. Leonard Shelford, will be found extremely useful in a solicitor's office, presenting a large amount of real property learning, with very numerous precedents: indeed we know of no book so justly entitled to the appellation of 'handy' as the fifth edition of Mr. Crabb's Precedents."—*Law Chronicle.*

CUTLER'S LAW OF NATURALIZATION.

THE LAW of NATURALIZATION as Amended by the Act of 1870. By JOHN CUTLER, B.A., of Lincoln's Inn, Barrister at Law, Editor of "Powell's Law of Evidence," &c. 12mo. 3*s.* 6*d.* cloth.

"Professor Cutler's book is a useful summary of the law and of the changes which have been made in it. The act is given in full with a useful index."—*Law Magazine.*

"Mr. Cutler, in the work before us, lucidly explains the state of the law previous to the recent statute, and shows the alterations produced by it, so that a careful perusal of his book will enable the reader fully to comprehend the present state of the law upon this most important subject."—*Justice of the Peace.*

"The author's position as Professor of English Law and Jurisprudence is a guarantee of his legal competence, whilst his literary abilities have enabled him to clothe his legal knowledge in language which laymen can understand without being misled by it."—*John Bull.*

COOTE'S ADMIRALTY PRACTICE.—Second Edition.

The PRACTICE of the HIGH COURT of ADMIRALTY of ENGLAND: also the Practice of the Judicial Committee of Her Majesty's Most Hon. Privy Council in Admiralty Appeals, with Forms and Bills of Costs. By HENRY CHARLES COOTE, F.S.A., one of the Examiners of the High Court of Admiralty, Author of "The Practice of the Court of Probate," &c. Second Edition, almost entirely re-written; and with a SUPPLEMENT *containing the County Court Practice in Admiralty*, the Act, Rules, Orders, &c. 8vo. 16*s.* cloth.

*** *This work contains every Common Form in use by the Practitioner in Admiralty, as well as every description of Bill of Costs in that Court, a feature possessed by no other work on the Practice in Admiralty.*

"Mr. Coote, being an Examiner of the Court, may be considered as an authoritative exponent of the points of which he treats. His treatise is, substantially considered, everything that can be desired to the practitioner."—*Law Magazine.*

CHADWICK'S PROBATE COURT MANUAL.

EXAMPLES of ADMINISTRATION BONDS for the COURT of PROBATE; exhibiting the principle of various Grants of Administration, and the correct mode of preparing the Bonds in respect thereof; also Directions for preparing the Oaths; arranged for practical utility. With Extracts from Statutes; also various Forms of Affirmation prescribed by Acts of Parliament, and a Supplemental Notice, bringing the Work down to 1865. By SAMUEL CHADWICK, of Her Majesty's Court of Probate. Royal 8vo. 12*s*. cloth.

"We undertake to say that the possession of this volume by practitioners will prevent many a hitch and awkward delay, provoking to the lawyer himself and difficult to be satisfactorily explained to the clients."—*Law Magazine and Review.*

"The work is principally designed to save the profession the necessity of obtaining at the registries information as to the preparing or filling up of bonds, and to prevent grants of administration and administration with the will annexed being delayed on account of the defective filling up of such instruments."—*Solicitors' Journal.*

"Mr. Chadwick's volume will be a necessary part of the law library of the practitioner, for he has collected precedents that are in constant requirement. This is purely a book of practice, but therefore the more valuable. It tells the reader what *to do*, and that is the information most required after a lawyer begins to practise."—*Law Times.*

ORTOLAN'S ROMAN LAW, Translated by PRICHARD and NASMITH.

The HISTORY of ROMAN LAW, from the Text of Ortolan's Histoire de la Législation Romaine et Généralisation du Droit (edition of 1870). Translated, with the Author's permission, and Supplemented by a Chronometrical Chart of Roman History. By I. T. PRICHARD, Esq., F.S.S., and DAVID NASMITH, Esq, LL.D., Barristers at Law. 8vo. 28*s*. *cloth.*

"We know of no work, which, in our opinion, exhibits so perfect a model of what a text-book ought to be. Of the translation before us, it is enough to say, that it is a faithful representation of the original."—*Law Magazine.*

"This translation, from its great merit, deserves a warm reception from all who desire to be acquainted with the history and elements of Roman law, or have its interests as a necessary part of a sound legal education at heart. With regard to that great work, it is enough to say, that English writers have been continually in the habit of doing piecemeal what Messrs. Prichard and Nasmith have done wholesale. Hitherto we have had but gold dust from the mine; now we are fortunate in obtaining a large nugget. Mr. Nasmith is already known as the designer of a chart of the history of England, which has been generally approved, and bids fairly for extensive adoption."—*Law Journal.*

GAIUS' ROMAN LAW.—By Tomkins and Lemon.

(*Dedicated by permission to Lord Chancellor Hatherley.*)

THE COMMENTARIES of GAIUS on the ROMAN LAW: with an English Translation and Annotations. By FREDERICK J. TOMKINS, Esq., M.A., D.C.L., and WILLIAM GEORGE LEMON, Esq., LL.B., Barristers-at-Law, of Lincoln's Inn. 8vo. 27*s*. extra cloth.

"We feel bound to speak in the highest terms of the manner in which Mr. Tomkins and Mr. Lemon have executed their task. We unhesitatingly recommend its careful perusal to all students of Roman Law."—*Law Magazine.*

"The authors have done a good service to the study of Roman Law, and deserve the thanks of those who take an interest in legal literature."—*Solicitors' Journal.*

"The translation is carefully executed and the annotations show extensive knowledge of the Roman Law."—*Athenæum.*

"One of the most valuable contributions from an English source to our legal literature which the last half-century has witnessed."—*Edinburgh Evening Courant.*

UNDERHILL'S LAW OF TORTS.

A SUMMARY OF THE LAW OF TORTS, OR WRONGS INDEPENDENT OF CONTRACT. By ARTHUR UNDERHILL, B.A., of Lincoln's Inn, Esq., Barrister at Law. Post 8vo. 6*s*. cloth.

"He has set forth the elements of the law with clearness and accuracy. The little work of Mr. Underhill is inexpensive and may be relied on."—*Law Times.*

"The plan is a good one and has been honestly carried out, and a good index facilitates reference to the contents of the book."—*Justice of the Peace.*

"Mr. Underhill's ability in making a clear digest of the subject treated of in this volume is conspicuous. Many works would have to be consulted for the information here concisely given, so that practitioners as well as students will find it useful."—*News of the World.*

"His book is so clearly written that it is easily comprehensible. To the law student, for whom it is more particularly written, it may be recommended both for its simplicity and accuracy."—*Morning Advertiser.*

"Intended for the student who desires to have principles before entering into particulars, and we know no book on the subject so well adapted for the purpose."—*Law Examination Journal.*

"We strongly recommend the manual to students of both branches of the profession."—*Preliminary Examination Journal.*

"A work which will, we think, be found instructive to the beginner, and a useful handybook for the practitioner in local courts."—*Public Opinion.*

KERR'S ACTION AT LAW.—Third Edition.

An ACTION at LAW: being an outline of the JURISDICTION of the SUPERIOR COURTS of COMMON LAW, with an Elementary View of the Proceedings in Actions therein. By ROBERT MALCOLM KERR, LL.D., Barrister at Law; now Judge of the Sheriff's Court of the City of London. The Third Edition. 12mo. 9*s*. cloth.

CLIFFORD & STEPHENS' REFEREES' PRACTICE, 1873.

THE PRACTICE of the COURT of REFEREES on PRIVATE BILLS in PARLIAMENT; with Reports of Cases as to the Locus Standi of Petitioners decided during the Sessions 1867-72. By FREDERICK CLIFFORD, of the Middle Temple, and PEMBROKE S. STEPHENS, of Lincoln's Inn, Esquires, Barristers at Law. 2 Vols. Royal 8vo. 3*l*. 10*s*. cloth.

*** *Vol.* 2, *Part* 2, *containing Cases of the Sessions* 1871 *and* 1872 *separately*, 30*s*. *sewed.*

LATHAM ON THE LAW OF WINDOW LIGHTS.

A TREATISE on the LAW of WINDOW LIGHTS. By FRANCIS LAW LATHAM, of the Inner Temple, Esq., Barrister at Law. Post 8vo. 10*s*. cloth.

"This is not merely a valuable addition to the law library of the practitioner, it is a book that every law student will read with profit. It exhausts the subject of which it treats."—*Law Times.*

"His arrangement is logical and he discusses fully each point of his subject. The work in our opinion is both perspicuous and able, and we cannot but compliment the author on it."—*Law Journal.*

"A treatise on this subject was wanted, and Mr. Latham has succeeded in meeting that want."—*Athenæum.*

ROUSE'S CONVEYANCER, WITH SUPPLEMENT, 1871. Third Edition.

The PRACTICAL CONVEYANCER, giving, in a mode combining facility of reference with general utility, upwards of Four Hundred Precedents of Conveyances, Mortgages and Leases, Settlements, and Miscellaneous Forms, with (not in previous Editions) the Law and numerous Outline Forms and Clauses of WILLS and Abstracts of Statutes affecting Real Property, Conveyancing Memoranda, &c. By ROLLA ROUSE, Esq., of the Middle Temple, Barrister at Law, Author of "The Practical Man," &c. Third Edition, greatly enlarged. With a Supplement, giving Abstracts of the Statutory Provisions affecting the Practice in Conveyancing, to the end of 1870; and the requisite Alterations in Forms, with some new Forms; and including a full Abstract in numbered Clauses of the Stamp Act, 1870. Two vols. 8vo. 30*s.* cloth.

*** *The Supplement may be had separately, price* 1*s.* 6*d. sewed.*

"The best test of the value of a book written professedly for practical men is the practical one of the number of editions through which it passes. The fact that this well-known work has now reached its third shows that it is considered by those for whose convenience it was written to fulfill its purpose well."—*Law Magazine.*

"This is the third edition in ten years, a proof that practitioners have used and approved the precedents collected by Mr. Rouse. In this edition, which is greatly enlarged, he has for the first time introduced Precedents of Wills, extending to no less than 116 pages. We can accord unmingled praise to the conveyancing memoranda showing the practical effect of the various statutory provisions in the different parts of a deed. If the two preceding editions have been so well received, the welcome given to this one by the profession will be heartier still."—*Law Times.*

"So far as a careful perusal of Mr. Rouse's book enables us to judge of its merits, we think that as a collection of precedents of general utility in cases of common occurrence it will be found satisfactorily to stand the application of the test. The draftsman will find in the Practical Conveyancer precedents appropriate to all instruments of common occurrence, and the collection appears to be especially well supplied with those which relate to copyhold estates. In order to avoid useless repetition and also to make the precedents as simple as possible, Mr. Rouse has sketched out a number of outline drafts so as to present to the reader a sort of bird's-eye view of each instrument and show him its form at a glance. Each paragraph in these outline forms refers, by distinguishing letters and numbers, to the clauses in full required to be inserted in the respective parts of the instrument, and which are given in a subsequent part of the work, and thus every precedent in outline is made of itself an index to the clauses which are necessary to complete the draft. In order still further to simplify the arrangement of the work, the author has adopted a plan (which seems to us fully to answer its purpose) of giving the variations which may occur in any instrument according to the natural order of its different parts."—*Law Journal.*

"That the work has found favor is proved by the fact of our now having to review a third edition. This method of skeleton precedents appears to us to be attended with important advantages. Space is of course saved, but besides this there is the still more important consideration that the draftsman is materially assisted to a bird's-eye view of his draft. Everyone who has done much conveyancing work knows how thoroughly important, nay, how essential to success, is the formation of a clear idea of the scope and framework of the instrument to be produced. To clerks and other young hands a course of conveyancing under Mr. Rouse's auspices is, we think, calculated to prove very instructive. To the solicitor, especially the country practitioner, who has often to set his clerks to work upon drafts of no particular difficulty to the experienced practitioner, but upon which they the said clerks are not to be quite trusted alone, we think to such gentlemen Mr. Rouse's collection of Precedents is calculated to prove extremely serviceable. We repeat, in conclusion, that solicitors, especially those practising in the country will find this a useful work."—*Solicitors' Journal.*

SAUNDERS' LAW OF NEGLIGENCE.

A TREATISE on the LAW applicable to NEGLIGENCE. By THOMAS W. SAUNDERS, Esq., Barrister at Law, Recorder of Bath. 1 vol. post 8vo. 9*s*. cloth.

"The book is admirable; while small in bulk, it contains everything that is necessary, and its arrangement is such that one can readily refer to it. Amongst those who have done a good service Mr. Saunders will find a place."—*Law Magazine.*

"We find very considerable diligence displayed. The references to the cases are given much more fully, and on a more rational system than is common with text-book writers. He has a good index."—*Solicitors' Journal.*

"The recorder of Bath has rendered good service to the profession, and to the more intelligent section of the general public, by the production of the carefully prepared and practically useful volume now under notice. As a work of reference, the book will be very welcome in the office of the solicitor or in the chambers of the barrister."—*Morning Advertiser.*

"Mr. T. W. Saunders is well known as a large contributor to legal literature, and all his works are distinguished by pains-taking and accuracy. This one is no exception, and the subject, which is of very extensive interest, will ensure for it a cordial welcome from the profession."—*Law Times.*

"As scarcely a day passes in which claims are not made, and actions brought, for compensations for injuries from neglect of some kind, a short and clear treatise like the present on the law relating to the subject ought to be welcomed It is a moderate size volume, and makes references to all the authorities on the question easy.'—*Standard.*

DIXON'S LAW OF PARTNERSHIP.

A TREATISE on the LAW OF PARTNERSHIP. By JOSEPH DIXON, of Lincoln's Inn, Esq., Barrister at Law, Editor of "Lush's Common Law Practice." 1 vol. 8vo. 22*s*. cloth.

"He has evidently bestowed upon this book the same conscientious labour and painstaking industry for which we had to compliment him some months since when reviewing his edition of 'Lush's Practice of the Superior Courts of Law,' and, as a result, he has produced a clearly written and well-arranged manual upon one of the most important branches of our mercantile law."—*Law Journal.*

"Mr. Dixon has done his work well. The book is carefully and usefully prepared."—*Solicitors' Journal.*

"We heartily recommend to practitioners and students Mr. Dixon's treatise as the best exposition of the law we have read, for the arrangement is not only artistic, but conciseness has been studied without sacrifice of clearness."—*Law Times.*

"Mr. Lindley's view of the subject is that of a philosophical lawyer. Mr. Dixon's is purely and exclusively practical from beginning to end. We imagine that very few questions are likely to come before the practitioner which Mr. Dixon's book will not be found to solve. We have only to add, that the value of the book is very materially increased by an excellent marginal summary and a very copious index."—*Law Magazine and Review.*

MICHAEL & WILL'S LAW OF GAS AND WATER SUPPLY.

THE LAW OF GAS AND WATER SUPPLY, comprising the Rights and Duties as well of Local Authorities as of Private Companies in regard thereto, and including the Legislation of the last Session of Parliament. By W. H. MICHAEL and J. SHIRESS WILL, of the Middle Temple, Esquires, Barristers-at-Law. Post 8vo. 18*s*. cloth.

"As to the steps to be taken to place matters on a proper basis, we refer those interested to the work of Messrs. Michael and Will, where all the rights and liabilities of companies under the acts are fully set forth, and we feel thoroughly justified in recommending the volume."—*Law Times.*

"We can thoroughly recommend the work to those who require guidance on the subject."—*Solicitors' Journal.*

"We can safely say that this is an honest and a successful attempt to deal with the laws affecting gas and water supply."—*Law Journal.*

POWELL'S LAW OF INLAND CARRIERS.—Second Edition.

THE LAW OF INLAND CARRIERS, especially as regulated by the Railway and Canal Traffic Act, 1854. By EDMUND POWELL, Esq., of Lincoln College, Oxon, M.A., and of the Western Circuit, Barrister at Law. Author of "Principles and Practice of the Law of Evidence." Second Edition, almost re-written. 8vo. 14*s.* cloth.

"The treatise before us states the law of which it treats ably and clearly, and contains a good index."—*Solicitors' Journal.*

"Mr. Powell's writing is singularly precise and condensed, without being at all dry, as those who have read his admirable Book of Evidence will attest. It will be seen, from our outline of the contents, how exhaustively the subject has been treated, and that it is entitled to be that which it aspires to become, the text book on the law of Carriers."—*Law Times.*

"The subject of this treatise is not indeed a large one, but it has been got up by Mr. Powell with considerable care, and contains ample notice of the most recent cases and authorities."—*Jurist.*

"The two chapters on the Railway and Canal Traffic Act, 1856, are quite new, and the recent cases under the provisions of that statute are analyzed in lucid language."—*Law Magazine.*

WOOLRYCH ON SEWERS.—Third Edition.

A TREATISE on the LAW OF SEWERS, including the Drainage Acts. By HUMPHRY W. WOOLRYCH, Serjeant at Law. Third Edition, with considerable Additions and Alterations. 8vo. 12*s.* cloth.

"Two editions of it have been speedily exhausted, and a third called for. The author is an accepted authority on all subjects of this class."—*Law Times.*

"This is a third and greatly enlarged edition of a book which has already obtained an established reputation as the most complete discussion of the subject adapted to modern times. Since the treatise of Mr. Serjeant Callis in the early part of the 17th century, no work filling the same place has been added to the literature of the profession. It is a work of no slight labour to digest and arrange this mass of legislation—this task, however, Mr. Serjeant Woolrych has undertaken, and an examination of his book will, we think, convince the most exacting that he has fully succeeded. No one should attempt to meddle with the Law of Sewers without its help."—*Solicitors' Journal.*

TOMKINS AND JENCKEN'S MODERN ROMAN LAW.

COMPENDIUM of the MODERN ROMAN LAW. Founded upon the Treatises of Puchta, Von Vangerow, Arndts, Franz Möhler, and the Corpus Juris Civilis. By FREDERICK J. TOMKINS, Esq., M.A., D.C.L., Author of the "Institutes of Roman Law," Translator of "Gaius," &c, and HENRY DIEDRICH JENCKEN, Esq., Barristers at Law, of Lincoln's Inn. 8vo. 14*s.* cloth.

"Mr. Tomkins and Mr. Jencken could not have written such an excellent book as this if they had not devoted many laborious days, probably years, to the study of the Roman Law in its entirety, and to research into the laws of continental States for the purpose of learning what principles of Roman Law are preserved in their jurisprudence."—*Law Times.*

"We believe it is the first work of the kind that has appeared in our language, and on that ground alone we should hold it entitled to a hospitable reception. The style is, to our mind, characterised by a precision, a terseness, and, still more wonderful, an exhaustiveness rarely to be met with in law books of any class. Such is the book—throughout a masterpiece of terse and forcible expression: ambiguity there is none, prolixity none, from the beginning to the end we do not know that we should wish one sentence or one word expunged, and we have never had to pause to discover the meaning of our authors. If the saying, that clear speaking is the result of clear thinking be at all worthy of reception, we should say that the present work is the result of much honest labour and profound learning."—*Journal of Jurisprudence of Scotland.*

"This is a valuable book, and one that ought to be in the hands of every magistrate in India. As the basis of all our modern law and justice, we commend this Modern Roman Law to our readers."—*Friend of India.*

DAVIS'S LAW OF REGISTRATION AND ELECTIONS.

A MANUAL of the LAW of REGISTRATION and ELECTIONS: with a SUPPLEMENT comprising the Cases on Appeal, 1868-1869; the Rules and Cases relating to Election Petitions; the Poor Rate Assessment Act, 1869; and a complete Index to the whole Work. By JAMES EDWARD DAVIS, Esq., Barrister at Law. 12mo. 15*s.* cloth.

*** The SUPPLEMENT may be had separately, price 3*s.* sewed.

"A work which in our judgment is the handiest and most useful of the 'manuals' which the Reform Act of 1867 has brought into existence."—*Law Magazine.*

"We think this the best of the now numerous works on this subject."—*Solicitors' Journal.*

"No one comes forward with better credentials than Mr. Davis, and the book before us seems to possess the qualities essential to a guide to a discharge of their duties by the officials."—*Law Journal.*

"He has done well. In its way, Mr. Davis's work will be exceedingly useful, for it is edited with his usual care, printed in excellent style, and published in a most convenient form."—*Law Times.*

DAVIS'S LAW OF MASTER AND SERVANT.

THE MASTER AND SERVANT ACT, 1867: with an Introduction, Notes and Forms, Tables of Offences, and an Index. By JAMES EDWARD DAVIS, Esq., Barrister at Law, Stipendiary Magistrate for Stoke-upon-Trent. 12mo. 6*s.* cloth.

*** *Besides the Act and copious Notes, Introduction, and a variety of Forms of Summons, Orders, Convictions, Recognizances, &c., specially prepared for this work, Tables have been framed classifying all the offences within the jurisdiction of Justices. It is hoped that this will be found useful, not only to Magistrates and their Clerks, but to the Legal Profession generally, for in consequence of the new Act not describing the offences, but merely referring to a schedule of seventeen former Acts, it is very difficult to say what cases are or are not within the purview of the new Act. The decisions of the Superior Courts, so far as they are applicable to the present law, are also given.*

SHELFORD'S SUCCESSION, PROBATE and LEGACY DUTIES.—Second Edition.

THE LAW relating to the PROBATE, LEGACY and SUCCESSION DUTIES in ENGLAND, IRELAND and SCOTLAND, including all the Statutes and the Decisions on those Subjects: with Forms and Official Regulations. By LEONARD SHELFORD, Esq., of the Middle Temple, Barrister at Law. The Second Edition, with many Alterations and Additions. 12mo. 16*s.* cloth.

"The treatise before us, one of the most useful and popular of his productions, being now the text book on the subject, nothing remains but to make known its appearance to our readers. Its merits have been already tested by most of them."—*Law Times.*

"Mr. Shelford's book appears to us to be the best and most complete work on this extremely intricate subject."—*Law Magazine.*

PARKINSON'S COMMON LAW CHAMBER PRACTICE.

A HANDY BOOK FOR THE COMMON LAW JUDGES' CHAMBERS. By GEO. H. PARKINSON, Chamber Clerk to the Hon. Mr. Justice Byles. 12mo. 7*s.* cloth.

ROBSON'S BANKRUPT LAW.—Second Edition.

A TREATISE on the LAW of BANKRUPTCY; containing a full exposition of the Principles and Practice of the Law as altered by the Bankruptcy Act, 1869. With an APPENDIX of the Statutes, Rules, Orders and Forms. By GEORGE YOUNG ROBSON, Esq., of the Inner Temple, Barrister at Law. Second Edition, thoroughly revised, and with the latest decisions. 8vo. 34*s.* cloth.

"We are glad to welcome a second edition of this valuable work, the first edition of which we reviewed about two years ago. While the arrangement and form of the book have remained unaltered, the author has not contented himself with merely adding the recent decisions to the old text, for the whole law on the subject, old as well as new, has evidently been carefully considered in the interval between the two editions, and many old cases are now noted which were not referred to in the first edition. The tendency of all books on bankruptcy is, of course, just now to increase very much in bulk; but Mr. Robson's conciseness of style has enabled him to keep his work within reasonable limits. The present edition contains amongst other additional matter, a chapter on the 'The Bills of Sale Act, 1854'; and that act, and the subsequent Act of 1866, are given at length in the Appendix. We notice also as an improvement in printing the Bankruptcy Act and Rules, that reference is made at the end of each section and rule to the pages of the text where the subject of such section or rule is discussed. The index to the work, so far as we have been able to examine it, is a remarkably good one. On the whole we have no hesitation in saying that the author has considerably improved an originally meritorious and useful book, which we recommend very heartily to the profession at large."—*Solicitors' Journal.*

"We must take advantage of the best guide we can find to help us along in the dark and dubious ways of bankruptcy law, and Mr. Robson is undoubtedly one of the best guides we can find. It is with great pleasure that we learn from the preface to this work that the first edition of this work was well received, and that it achieved the success it so well deserved. Mr. Robson has continued studying the subject, and has kept himself up in the law upon which he writes. He has also added to this new edition a chapter on 'The Bills of Sale Act, 1854,' which cannot but be useful to his readers. The book itself is now so well known to the profession that we need not dwell upon its proved merits, its careful preparation, great learning, and skilful arrangement." — *Law Magazine.*

HUNT'S BOUNDARIES, FENCES AND FORESHORES. Second Edition.

A TREATISE on the LAW relating to BOUNDARIES and FENCES, and to the Rights of Property on the Sea Shore and in the Bed of Public Rivers and other Waters. Second Edition. By ARTHUR JOSEPH HUNT, of the Inner Temple, Esq., Barrister at Law. Second Edition. 12mo. 12*s.* cloth.

"There are few more fertile sources of litigation than those dealt with in Mr. Hunt's valuable book. It is sufficient here to say that the volume ought to have a larger circulation than ordinarily belongs to law books, that it ought to be found in every country gentleman's library, that the cases are brought down to the latest date, and that it is carefully prepared, clearly written, and well edited."—*Law Magazine.*

"It speaks well for this book, that it has so soon passed into a second edition. That its utility has been appreciated is shown by its success. Mr. Hunt has availed himself of the opportunity of a second edition to note up all the cases to this time, and to extend considerably some of the chapters, especially that which treats of rights of property on the seashore and the subjects of sea walls and commissions of sewers."—*Law Times.*

"Mr. Hunt chose a good subject for a separate treatise on Boundaries and Fences and Rights to the Seashore, and we are not surprised to find that a second edition of his book has been called for. The present edition contains much new matter. The chapter especially which treats on rights of property on the seashore, which has been greatly extended. Additions have been also made to the chapters relating to the fencing of the property of mine owners and railway companies. All the cases which have been decided since the work first appeared have been introduced in their proper places. Thus it will be seen this new edition has a considerably enhanced value."—*Solicitors' Journal.*

TUDOR'S CHARITABLE TRUSTS.—Second Edition.

THE LAW of CHARITABLE TRUSTS; with the Statutes, including those to 1869, the Orders, Regulations and Instructions issued pursuant thereto, and a Selection of Schemes, with Notes. By OWEN DAVIES TUDOR, Esq., of the Middle Temple, Barrister-at-Law, Author of 'Leading Cases in Equity.' Second Edition, containing all the recent Statutes and Decisions. Post 8vo. 18*s.* cloth.

"No living writer is more capable than Mr. Tudor of producing such a work: his Leading Cases in Equity, and also on the Law of Real Property, have deservedly earned for him the highest reputation as a learned, careful and judicious text-writer. The main feature of the work is the manner in which Mr. Tudor has dealt with all the recent statutes relating to this subject."—*Solicitors' Journal.*

"Mr. Tudor's excellent little book on Charitable Trusts."—*Law Times.*

DAVIS'S CRIMINAL LAW CONSOLIDATION ACTS.

THE CRIMINAL LAW CONSOLIDATION ACTS, 1861; with an Introduction and practical Notes, illustrated by a copious reference to Cases decided by the Court of Criminal Appeal. Together with alphabetical Tables of Offences, as well those punishable upon Summary Conviction as upon Indictment, and including the Offences under the New Bankruptcy Act, so arranged as to present at one view the particular Offence, the Old or New Statute upon which it is founded, and the Limits of Punishment; and a full Index. By JAMES EDWARD DAVIS, Esq., Barrister-at-Law. 12mo. 10*s.* cloth.

HERTSLET'S TREATIES.

HERTSLET'S TREATIES of Commerce, Navigation, Slave Trade, Post Office Communications, Copyright, &c, at present subsisting between Great Britain and Foreign Powers. Compiled from Authentic Documents by EDWARD HERTSLET, Esq., C.B., Librarian and Keeper of the Papers of the Foreign Office. 12 vols. 8vo. 14*l.* 5*s.* boards.

*** *Vol.* 1, *price* 12*s.*; *Vol.* 2, *price* 12*s.*; *Vol.* 3, *price* 18*s.*; *Vol.* 4, *price* 18*s.*; *Vol.* 5, *price* 20*s.*; *Vol.* 6, *price* 25*s.*; *Vol.* 7, *price* 30*s.*; *Vol.* 8, *price* 30*s.*; *Vol.* 9, *price* 30*s.*; *Vol.* 10, *price* 30*s.*; *Vol.* 11, *price* 30*s.*; *Vol.* 12, *price* 40*s.*, *may be had separately to complete sets. Vol.* 12 *includes an Index of Subjects to the Twelve published Volumes, which Index is also sold separately, price* 10*s.* *cloth.*

HERTSLET'S TREATIES AND TARIFFS.

TREATIES AND TARIFFS regulating the Trade between Great Britain and Foreign Nations, and extracts of the Treaties between Foreign Powers, containing "Most Favoured Nation" Clauses applicable to Great Britain in force on the 1st January, 1875. By EDWARD HERTSLET, Esq., C.B., Librarian and Keeper of the Papers, Foreign Office. Part I. (Austria). Royal 8vo. 7*s.* 6*d.* cloth.

THE LAW EXAMINATION JOURNAL.

Published on the morning of the second day after each respective Final Examination in Hilary, Easter, Trinity, and Michaelmas Terms, in each year. Each Number price 1s., by post 1s. 1d.; or annual subscription, payable in advance, 4s., by post 4s. 4d.

No. XXII.—Hilary 1875.

I. The Statute of Frauds in relation to Contracts of Sale: Sale v. Lambert and Potter v. Duffield. II. The Statutes of 1874 (Second Notice). III. Digest of Cases. IV. Intermediate Examination, Michaelmas Term, 1874: Questions and Answers. V. Final Examination, Hilary Term, 1875: Questions and Answers. VI. Notice of Intermediate Examinations for 1875. VII. Correspondence, &c.

No. XXI.—Michaelmas, 1874.

I. The Statutes of 1874 (First Notice). II. Digest of Cases. III. Intermediate Examination, Trinity Term, 1874: Questions and Answers. IV. Final Examination, Michaelmas Term, 1874: Questions and Answers. V. Reviews of Books. VI. Correspondence and Notices.

No. XX.—Trinity, 1874.

I. Legislative Prospects of the Session. II. Digest of Cases. III. Intermediate Examination, Easter Term, 1874: Questions and Answers. IV. Final Examination, Trinity Term, 1874: Questions and Answers. V. Reviews. VI. Correspondence and Notices.

No. XIX.—Easter, 1874.

I. Leading Cases, continued. II. Digest of Cases. III. Intermediate Examination, Hilary Term, 1874: Questions and Answers. IV. Final Examination, Easter Term, 1874: Questions and Answers. V. Review: Seventh Edition of Stephen's Blackstone's Commentaries. VI. Correspondence, &c.

No. XVIII.—Hilary, 1874.

I. Statutes of 1873 (Second Notice including the Supreme Court of Judicature Act and subsequent Statutes). II. Digest of Cases III. Intermediate Examination, Michaelmas Term, 1873: Questions and Answers. IV. Final Examination, Hilary Term, 1874: Questions and Answers. V. Correspondence and Notices.

No. XVII.—Michaelmas, 1873.

I Leading Cases (Note by the Editor). II. Statutes of 1873 (First Notice). III. Digest of Cases. IV. Intermediate Examination, Trinity Term, 1873: Questions and Answers. V. Final Examination, Michaelmas Term, 1873: Questions and Answers. VI. Notice of Intermediate Examination for 1874. VII. Reviews of Books. VIII. Law Student's Societies. IX. Correspondence.

No. XVI.—Trinity, 1873.

I. The Study of the Law, concluded. II. Leading Cases: Spencer's Case continued. III. Digest of Cases. IV. Intermediate Examination, Easter, 1873: Questions and Answers. V. Final Examination, Trinity, 1873: Questions and Answers. VI. A Review: Kelly's Draftsman. VII. Correspondence and Notices.

No. XV.—Easter, 1873.

I. The Study of the Law, continued. II. Analysis of Leading Cases. III. Digest of Cases. IV. Intermediate Examination, Hilary Term, 1873: Questions and Answers. V. Final Examination, Easter Term, 1873: Questions and Answers. VI. Correspondence and Notices.

No. XIV.—Hilary, 1873.

I. The Study of the Law, continued. II. Digest of Cases. III. Intermediate Examination, Michaelmas Term, 1872: Questions and Answers. IV. Final Examination, Hilary Term, 1873: Questions and Answers. V. Reviews. VI. Answers to Correspondents and Notices.

No. XIII.—Michaelmas, 1872.

I. Public Prosecutors, concluded. II. The Statutes of 1872. III. Digest of Cases. IV. Intermediate Examination, Trinity Term, 1872: Questions and Answers. V. Final Examination, Michaelmas Term, 1872: Questions and Answers. VI. Reviews. VII. Answers to Correspondents and Notices.

No. XII.—Trinity, 1872.

I. Public Prosecutors, continued. II. Study of the Law, continued. III. Digest of Cases. IV. Intermediate Examination (Easter Term, 1872) Questions and Answers. V. Final Examination (Trinity Term, 1872) Questions and Answers. VI. Law Students Congress, Birmingham: Law Examinations. VII. A Review: Hunt's Law of Fraudulent Conveyances and Bills of Sale. VIII. Answers to Correspondents.

No. XI.—Easter, 1872.

I. The Study of the Law. II. Legislative Prospects of the Session: Married Women's Property Act Amendment Bill: Imperial Court of Appeal. III. Digest of Cases. IV. Intermediate Examination Questions and Answers (Hilary Term, 1872). V. Final Examination Questions and Answers (Easter Term, 1872). VI. Answers to Correspondents.

No. X.—Hilary, 1872.

I. Notice of the late Editor. II. The Study of the Law. III. Digest of Cases. IV. Intermediate Examination Questions and Answers (Michaelmas, 1871). V. Final Examination Questions and Answers (Hilary, 1872). VI. Answers to Correspondents.

No. IX.—Michaelmas, 1871.

I. On Examinations. II. The Subject of Public Prosecutors, continued. III. Digest of Cases. IV. Intermediate Examination Questions on Chitty, Williams and Smith (Trinity, 1871), with Answers. V. Final Examination Questions and Answers (Michaelmas Term, 1871). VI. Reviews of Books. VII. Answers to Correspondents.

No. VIII.—Trinity, 1871.

I. On the Necessity of providing a Public Prosecutor: by the Editor. I. How Mr. Mansfield Denman passed his "Final:" by E. H. III. Digest of Cases. Note by the Editor. IV. Intermediate Examination Questions and Answers (Easter, 1871). V. Final Examination Questions and Answers (Trinity, 1871). VI. Correspondence, &c.

No. VII.—Easter, 1871.

I. Some Remarks on the Married Women's Property Act, 1870: by the Editor. II. Digest of important Legal Decisions. III. Intermediate Examination Questions and Answers (Hilary, 1871). IV. Final Examination Questions and Answers (Easter, 1871). V. Reviews of New Books. VI. Correspondence.

THE LAW EXAMINATION JOURNAL—continued.

No. VI.—Hilary, 1871.

I. Our Jury System: by the Editor. II. Digest of important Legal Decisions. III. Intermediate Examination Questions and Answers (Michaelmas, 1870). IV. Final Examination Questions and Answers (Hilary, 1871). V. Reviews of New Books. VI. Correspondence.

No. V.—Michaelmas, 1870.

I. On the Legislation of 1870: by the Editor. II. Digest of important Legal Decisions. III. Intermediate Examination Questions and Answers (Trinity, 1870). IV. Final Examination Questions and Answers (Michaelmas, 1870). V. Reviews of New Books. VI. Correspondence.

No. IV.—Trinity, 1870.

I. Leading Article on the Fusion of the Two Branches of the Legal Profession, by the Editor, concluded. II. Digest of important Legal Decisions. III. Intermediate Examination Questions and Answers (Easter, 1870). IV. Final Examination Questions and Answers (Trinity, 1870). V. Reviews of New Books. VI. Correspondence.

No. III.—Easter, 1870.

I. On the Fusion of the Two Branches of the Profession: by the Editor. II. Digest of important recent Decisions. III. Intermediate Examination Questions and Answers (H. T. 1870). IV. Final Examination Questions and Answers (E. T. 1870). V. Reviews of New Books. VI. Correspondence.

No. II.—Hilary, 1870.

I. Note by the Editor. II. On Attornment in Mortgages. III. Digest of important recent Decisions. IV. Intermediate Examination Questions and Answers (M. T. 1869). V. Final Examination Questions and Answers (H. T. 1870). VI. Correspondence.

No. I.—Michaelmas, 1869.

I. County Courts, their Merits and Defects as Local Tribunals: by the Editor. II. Summary of new Decisions in Banco and at Nisi Prius. III. Analysis of the more important practical Statutes of 32 & 33 Vict. IV. Intermediate Examination Questions and Answers (T. T. 1869). V. Final Examination Questions and Answers (M. T. 1869). VI. Notes on the Examinations. VII. Correspondence.

*** *Copies of Vol. I. of the Law Examination Journal, containing Nos.* 1 *to* 14, *with full Indexes and Tables of Cases cited, may now be had, price* 16*s. bound in cloth.*

INGRAM'S LAW OF COMPENSATION.—Second Edition.

COMPENSATION TO LAND AND HOUSE OWNERS: being a Treatise on the Law of the Compensation for Interests in Lands, &c. payable by Railway and other Public Companies; with an Appendix of Forms and Statutes. By THOMAS DUNBAR INGRAM, of Lincoln's Inn, Esq., Barrister at Law, now Professor of Jurisprudence and Indian Law in the Presidency College, Calcutta. Second Edition. By J. J. ELMES, of the Inner Temple, Esq., Barrister-at-Law. Post 8vo. 12*s.* cloth.

"Whether for companies taking land or holding it, Mr. Ingram's volume will be a welcome guide. With this in his hand the legal adviser of a company, or of an owner and occupier whose property is taken, and who demands compensation for it, cannot fail to perform his duty rightly."—*Law Times.*

"This work appears to be carefully prepared as regards its matter. This edition is a third larger than the first; it contains twice as many cases, and an enlarged index. It was much called for and doubtless will be found very useful by the practitioner."—*Law Magazine.*

"The appearance upon the title page of the words Second Edition attests in the most conclusive manner that Mr. Ingram has rightly measured the requirements of the profession when he designed the monograph before us. The appendix contains no less than sixty forms required in the practice of this branch of the law and the statutes and parts of statutes in which it is embodied. The index is very ample. Thus it will be seen to be a book very valuable to all solicitors who may be concerned for railways or for the persons whose properties are affected by them."—*Law Times, second notice.*

"His explanations are clear and accurate, and he constantly endeavours not only to state the effect of the law which he is enunciating, but also to show the principle upon which it rests."—*Athenæum.*

SCRIVEN ON COPYHOLDS.—Fifth Edition by Stalman.

A TREATISE ON COPYHOLD, CUSTOMARY FREEHOLD, and ANCIENT DEMESNE TENURE, with the Jurisdiction of Courts Baron and Courts Leet. By JOHN SCRIVEN, Serjeant at Law. The Fifth Edition, containing references to Cases and Acts of Parliament to the present time. By HENRY STALMAN, Esq., of the Inner Temple, Barrister-at-Law. Abridged in 1 vol. royal 8vo. 30*s.* cloth.

Mr. Oke's Magisterial Works.

Oke's Laws as to Licensing Inns, &c. Second Edit. 1874; containing the Licensing Acts, 1872 and 1874, and the other Acts in force as to Ale-houses, Beer-houses, Wine and Refreshment-houses, Shops, &c., where Intoxicating Liquors are sold, and Billiard and Occasional Licences. Systematically arranged, with Explanatory Notes, the authorized Forms of Licences, Tables of Offences, Index, &c. By GEORGE C. OKE, late Chief Clerk to the Lord Mayor of London. Second Edition, by W. C. GLEN, Esq., Barrister at Law. Post 8vo. 10*s*. cloth.

"It is superfluous to recommend any work on magisterial law which bears the name of Mr. George C. Oke on the title page. That gentleman's treatises are standard authorities, and they deserve the esteem in which they are held. Mr. Oke is not only a well-read and industrious author, but he has a long and first-class experience in the administration of magisterial law. We are sure that lawyers who have licensing cases, and magistrates who have to administer the new act, will be very glad to hear that Mr. Oke has published a treatise on the subject. This treatise, which Mr. Oke modestly describes as little, is a comprehensive manual. The law is cited in a manner easy of reference. There are explanatory notes, a table of forms, some of them original, a table of offences, and a copious index. Mr. Oke also gives a very clear exposition of the much disputed sections 45 and 46 of the new Licensing Act."—*Law Journal.*

"Mr. Oke has lately brought out by far the best edition of the act, or perhaps we should say a treatise on it. Everything appears to be given which can by possibility be required, and the forms are abundant"—*Law Times.*

"The arrangement in chapters by Mr. Oke seems to us better than the plan pursued by the authors of the rival work; and we think that Mr. Glen has done well to leave in many cases a concise statement of the effect of the legislation repealed by the late act. He also gives a useful list of places beyond the metropolitan district and in the police district."—*Solicitors' Journal.*

"Messrs. Butterworth have judiciously confided the task of revision to the pen of Mr. Cunningham Glen; the whole is comprised in a well got up volume of 353 pages. Both the table of contents and the index are capitally arranged, and afford every facility for reference."—*Brewers' Guardian.*

"We can pronounce a favourable opinion with a clear conscience, and that verdict is, that, for fulness, perspicuity, careful indexing, and exhaustive treatment of dubious and debateable points, this neatly printed volume is the most comprehensive, convenient and reliable digest of the often indigestible licensing laws that has yet appeared."—*Licensed Victuallers' Gazette.*

Oke's Magisterial Synopsis; a Practical Guide for Magistrates, their Clerks, Attornies, and Constables; Summary Convictions and Indictable Offences, with their Penalties, Punishments, Procedure, &c.; *being alphabetically and tabularly arranged;* with a Copious Index. *Eleventh Edition, much enlarged.* By GEORGE C. OKE, late Chief Clerk to the Lord Mayor of London. In 2 vols. 8vo. cloth.

"We earnestly recommend to the higher classes of this country Mr. Oke's Synopsis, not as a mere reference index or dictionary to be snatched up at a moment of pressing need, but as a subject of quiet study. In conclusion, we beg to tender our warmest thanks to Mr. Oke for the immense boon conferred by him on the legal profession, the magistracy, and the whole community by his Synopsis, which now, as on a former occasion, we venture to designate as the standard guide of the magisterial bench, and the indispensable companion of every justice of the peace."—*Law Journal.*

Mr. Oke's Magisterial Works—*continued.*

Oke's Magisterial Formulist; being a Complete Collection of Forms and Precedents for practical use in all Cases out of Quarter Sessions, and in Parochial Matters, by Magistrates, their Clerks, Attornies and Constables. By GEORGE C. OKE, Author of "The Magisterial Synopsis." &c. *Fourth Edition*, enlarged and improved. 8vo. 38*s*. cloth.

Oke's Handy Book of the Game and Fishery Laws; containing the whole Law as to Game, Licences and Certificates, Poaching Prevention, Trespass, Rabbits, Deer, Dogs, Birds and Poisoned Grain throughout the United Kingdom, and Private and Salmon Fisheries in England. Systematically arranged, with the Acts, Decisions, Notes, Forms, Suggestions, &c. By GEORGE C. OKE, Author of "The Magisterial Synopsis," &c. *Third Edition.* 12mo. (*In the Press.*)

Oke's Law of Turnpike Roads; comprising the whole of the General Acts now in force, including those of 1861; the Acts as to Union of Trusts, for facilitating Arrangements with their Creditors; as to the interference by Railways with Roads, their Non-repair, and enforcing Contributions from Parishes, &c., practically arranged. With Cases, copious Notes, all the necessary Forms, and an elaborate Index, &c. By GEORGE C. OKE. *Second Edition.* 12mo. 18*s*. cloth.

"All Mr. Oke's works are well done, and his 'Turnpike Laws' is an admirable specimen of the class of books required for the guidance of magistrates and legal practitioners in country districts." —*Solicitors' Journal.*

GLEN'S PUBLIC HEALTH AND LOCAL GOVERNMENT. Seventh Edition.

The LAW relating to PUBLIC HEALTH and LOCAL GOVERNMENT: including the Law relating to the Removal of Nuisances injurious to Health, the Prevention of Diseases, and Sewer Authorities. With Statutes and Cases. By W. CUNNINGHAM GLEN and ALEXANDER GLEN, B.A., LL.B., Barristers at Law. Seventh Edition. Post 8vo. 36*s*. cloth.

SEABORNE'S LAW OF VENDORS & PURCHASERS.

A CONCISE MANUAL of the LAW of VENDORS AND PURCHASERS OF REAL PROPERTY; with a Supplement, including the Vendor and Purchaser Act, 1874, with Notes. By HENRY SEABORNE. Post 8vo. 9*s.* cloth.

*** *This work is designed to furnish Practitioners with an easy means of reference to the Statutory Enactments and Judicial Decisions regulating the Transfer of Real Property, and also to bring these authorities in a compendious shape under the attention of students.*

"The book before us contains a good deal, especially of practical information as to the course of conveyancing matters in solicitors' offices, which may be useful to students."—*Solicitors' Journal.*

"We will do Mr. Seaborne the justice to say that we believe his work will be of some use to articled and other clerks in solicitors' offices, who have not the opportunity or inclination to refer to the standard works from which his is compiled."—*Law Journal.*

"The value of Mr. Seaborne's book consists in its being the most concise summary ever yet published of one of the most important branches of the law. The student will find this book a useful introduction to a dry and difficult subject."—*Law Examination Journal.*

"Intended to furnish a ready means of access to the enactments and decisions governing that branch of the law."—*The Times.*

"The book will be found of use to the legal practitioner, inasmuch as it will, so far as regards established points of law, be a handier work of reference than the longer treatises we have named."—*Athenæum.*

TOMKINS' INSTITUTES OF ROMAN LAW.

THE INSTITUTES of ROMAN LAW. Part I., containing the Sources of the Roman Law and its External History till the Decline of the Eastern and Western Empires. By FREDERICK TOMKINS, M.A., D.C.L., Barrister at Law, of Lincoln's Inn. Royal 8vo. 12*s.* cloth. (To be completed in Three Parts.)

DREWRY'S EQUITY PLEADER.

A CONCISE TREATISE on the Principles of EQUITY PLEADING, with Precedents. By C. STEWART DREWRY, Esq., of the Inner Temple, Barrister at Law. 12mo., 6*s.* boards.

CONTENTS:—What Persons are entitled to sue in Equity, and in what manner to sue.—Of the Modes of instituting a Suit in Equity.—Of the Defence of Suits.—Of Pleas.—Of Answers.—Of Amended Bills.—Of Revivor and Supplemental Bills.—Of Interlocutory Applications.—Of the Proceedings on going into Evidence.—Of Appeals.—Conclusion.—Appendix of Precedents.

"Mr. Drewry will be remembered by many as the author of the very popular and excellent treatise on the Practice in Equity. He has now contributed to the library of the lawyer another work of equal value, written for younger members of the profession and for students, in which he describes the principles and general rules of Equity Pleading. It will be found of great utility, as introductory to the more elaborate treatises, or to refresh the memory after the study of the larger books."—*Law Times.*

GLEN'S POOR LAW ORDERS.—Seventh Edition.

The GENERAL CONSOLIDATED and other ORDERS of the POOR LAW COMMISSIONERS and the POOR LAW BOARD; with explanatory Notes elucidating the Orders, Tables of Statutes, Cases and Index to the Orders and Cases. By W. C. GLEN, Esq., Barrister at Law. Seventh Edition. Post 8vo. 21*s*. cloth.

WILLIAMS ON PLEADING AND PRACTICE.

An INTRODUCTION to the PRINCIPLES and PRACTICE of PLEADING in the SUPERIOR COURTS of LAW, embracing an outline of the whole Proceedings in an Action at Law, on Motion, and at Judges' Chambers; together with the Rules of Pleading and Practice, and Forms of all the principal Proceedings. By WATKIN WILLIAMS, M.P., of the Inner Temple, Esq., Barrister at Law. 8vo. 12*s*. cloth.

Mr. Williams has undertaken a work requiring great care in its treatment; but we have no hesitation in saying that he has brought to bear on his task powers of arrangement and clearness of expression of no ordinary character, and has produced a work creditable to himself and useful to the Profession. For the Student especially the book has features of peculiar value, it is at the same time scientific and practical, and throughout the work there is a judicious union of general principles with a practical treatment of the subject, illustrated by forms and examples of the main proceedings."—*Jurist.*

FRY'S SPECIFIC PERFORMANCE OF CONTRACTS.

A TREATISE on the SPECIFIC PERFORMANCE of CONTRACTS, including those of Public Companies. By EDWARD FRY, B.A., of Lincoln's Inn, Esq., Barrister at Law. 8vo. 16*s*. cloth.

"Mr. Fry's work presents in a reasonable compass a large quantity of modern learning on the subject of contracts, with reference to the common remedy by specific performance, and will thus be acceptable to the profession generally."—*Law Chronicle.*

"There is a closeness and clearness in its style, and a latent fulness in the exposition, which not only argue a knowledge of the law, but of those varying circumstances in human society to which the law has to be applied."—*Spectator.*

"Mr. Fry's elaborate essay appears to exhaust the subject, on which he has cited and brought to bear, with great diligence, some 1,500 cases, which include those of the latest reports."—*Law Magazine and Review.*

PHILLIPS'S LAW OF LUNACY.

THE LAW CONCERNING LUNATICS, IDIOTS, and PERSONS of UNSOUND MIND. By CHARLES P. PHILLIPS, M.A., of Lincoln's Inn, Esq., Barrister at Law, and Commissioner in Lunacy. Post 8vo., 18*s*. cloth.

"Mr. Phillips has, in his very complete, elaborate and useful volume, presented us with an excellent view of the present law, as well as the practice relating to lunacy." *Law Magazine and Review.*

WIGRAM ON WILLS.—Fourth Edition.

An EXAMINATION of the RULES of LAW respecting the Admission of EXTRINSIC EVIDENCE in Aid of the INTERPRETATION of WILLS. By the Right Hon. Sir JAMES WIGRAM, Knt. The Fourth Edition prepared for the press, with the sanction of the learned Author, by W. KNOX WIGRAM, M.A., of Lincoln's Inn, Esq., Barrister at Law. 8vo. 11*s.* cloth.

"In the celebrated treatise of Sir James Wigram, the rules of law are stated, discussed and explained in a manner which has excited the admiration of every judge who has had to consult it."—*Lord Kingsdown, in a Privy Council Judgment, July 8th*, 1858.

"There can be no doubt that the notes of Mr. Knox Wigram have enhanced the value of the work, as affording a ready reference to recent cases on the subjects embraced or arising out of Sir James Wigram's propositions, and which frequently give additional support, and in some instances an extension to the original text."—*Law Chronicle.*

"Understood as general guides, the propositions established by Sir James Wigram's book are of the highest value. But whatever view may be entertained, the book is one which will always be highly prized, and is now presented in a very satisfactory shape, thanks to the industry and intelligence displayed in the notes by the present editor."—*Solicitors' Journal and Reporter.*

COOMBS' SOLICITORS' BOOKKEEPING.

A MANUAL of SOLICITORS' BOOKKEEPING: comprising practical exemplifications of a concise and simple plan of Double Entry, with Forms of Account and other books relating to Bills of Costs, Cash, &c., showing their operation, giving directions for keeping, posting and balancing them, and instructions for drawing costs. Adapted for a large or small, sole or partnership business. By W. B. COOMBS, Law Accountant and Costs Draftsman. 1 vol., 8vo. 10*s.* 6*d.* cloth.

*** *The various Account Books described in the above work, the Forms of which are Copyright, may be had from the Publishers, at the prices stated in the work at page* 274.

"The author of the above, relying on the well-known fact that solicitors do not like intricate bookkeeping, has presented to that branch of the profession a work in which the really superfluous has been omitted, and that only which is necessary and useful in the ordinary routine in an attorney's office has been retained. He has performed his task in a masterly manner, and in doing so has given the why and the wherefore of the whole system of Solicitors' Bookkeeping. The volume is the most comprehensive we remember to have seen on the subject, and from the clear and intelligible manner in which the whole has been worked out it will render it unexceptionable in the hands of the student and the practitioner."—*Law Magazine.*

"Throughout the *pro formâ* account books most of the different matters of business which usually arise in a solicitor's office have been passed from their commencement to their ultimate conclusion. The bill book contains precedents of bills of costs illustrating the correspondence between that and the disbursement book, and so with the cash book, ledger, and other books; every item has its reference and any intricate points have been explained, which are merits which no other work on the subject possesses; indeed so clear do the instructions appear that a tyro of average skill and abilities with application could under ordinary circumstances open and keep the accounts of a business; and so far as we can judge the author has succeeded in his endeavour to divest solicitors' bookkeeping of complexity, and to be concise and simple without being inefficient. We cannot dismiss this volume without briefly commenting upon the excellent style in which it is submitted to the profession."—*Law Journal.*

BRABROOK'S NEW WORK ON CO-OPERATION.

THE LAW and PRACTICE of CO-OPERATIVE or INDUSTRIAL and PROVIDENT SOCIETIES; including the Winding-up Clauses, to which are added the Law of France on the same subject, and remarks on Trades Unions. By EDWARD W. BRABROOK, F.S.A., of Lincoln's Inn, Esq., Barrister at Law, Assistant-Registrar of Friendly Societies in England. 6*s.* cloth.

"A volume which will be very cordially welcomed by the associations of which it treats and by their legal advisers."—*Law Times.*

"At the present time when so much attention is directed towards the working of Industrial and Provident Societies and Trades Unions, with all their unenviable notoriety, Mr. Brabrook's little work on these societies is opportune, and the statistics and information contained in it are valuable and interesting."—*Law Magazine.*

"The fullness of knowledge is exhibited throughout this practical unpretending and handy little book of information for all whom it concerns."—*Morning Post.*

"The author speaks with practical experience and authority."—*Observer.*

"The little volume is comprehensive and valuable."—*News of the World.*

LUSHINGTON'S NAVAL PRIZE LAW.

A MANUAL of NAVAL PRIZE LAW. By GODFREY LUSHINGTON, of the Inner Temple, Esq., Barrister at Law. Royal 8vo. 10*s.* 6*d.* cloth.

TROWER'S CHURCH BUILDING LAWS, Continued to 1874.

THE LAW of the BUILDING of CHURCHES, PARSONAGES, and SCHOOLS, and of the Division of Parishes and Places. By CHARLES FRANCIS TROWER, M.A., of the Inner Temple, Esq., Barrister at Law, late Fellow of Exeter College, Oxford, and late Secretary of Presentations to Lord Chancellor Westbury. Post 8vo. 9*s.* cloth.

The Supplement may be had separately, price 1*s.*, *sewed.*

"A good book on this subject is calculated to be of considerable service both to lawyers, clerics and laymen; and on the whole, after taking a survey of the work before us, we may pronounce it a useful work. It contains a great mass of information of essential import to those who as parishioners, legal advisers or clergymen are concerned with glebes, endowments, district chapelries, parishes, ecclesiastical commissions and such like matters, about which the public and notably the clerical public seem to know but little, but which it is needless to say are matters of much importance."—*Solicitors' Journal.*

WILLS ON EVIDENCE.—Fourth Edition.

AN ESSAY on the PRINCIPLES of CIRCUMSTANTIAL EVIDENCE. Illustrated by numerous Cases. By the late WILLIAM WILLS, Esq. Fourth Edition. Edited by his Son, ALFRED WILLS, Esq., Barrister at Law. 8vo. 10*s.* cloth.

BUND'S LAW OF SALMON FISHERIES.

THE LAW relating to the SALMON FISHERIES of ENGLAND and WALES, as amended by "The Salmon Fishery Act, 1873;" with the Statutes and Cases. By J. W. WILLIS BUND, M.A., LL.B., of Lincoln's Inn, Barrister at Law, Vice-Chairman Severn Fishery Board. Post 8vo. 15*s.* cloth.

From the Thirteenth Annual Report of Inspector Buckland on Salmon Fisheries, 1874.

"I would wish in this place to express my approval of 'Bund's Law of Salmon Fisheries in England and Wales, with Statutes and Cases.' This work will afford great assistance to those engaged in administering the law, while it affords valuable information on the theory and practice of Salmon legislation in general."

From the Thirteenth Annual Report of Inspector Walpole on Salmon Fisheries, 1874.

"Mr. Willis Bund, the Draftsman of the new Act, has published an important treatise on the whole of the Salmon Fishery Acts, which has already been accepted as a complete exposition of those Statutes."

"Doubtless all the law will be found between his covers, and we have not been able to detect any erroneous statements. We can recommend the book as a disquisition,—it is conscientiously executed."—*Law Times.*

"With Mr. Bund's work at his elbow, the inquirer will find it tolerably easy work. for Mr. Bund has with great skill and labour done all the most troublesome work for him, and each point of law is marked out so that there can be no difficulty in understanding it, for not only are the points unravelled and discussed, but the cases which have come before the superior courts upon the various points are distinctly set forth, and the decision upon each made plain. Mr. Bund has done the work excellently well, and nothing further in this way can be desired."—*The Field.*

"We have always found his opinion sound, and his explanations clear and lucid. This volume must of necessity become a handbook to salmon fishers in general, and especially to boards of conservators, who will thereby be much assisted in the formation of the new boards of conservators, under the Act of 1873; also the operation of the Acts of 1861 and 1865, as amended by the Act of 1873."—*Land and Water.*

GRANT'S LAW OF CORPORATIONS IN GENERAL.

A PRACTICAL TREATISE on the LAW of CORPORATIONS in GENERAL, as well Aggregate as Sole; including Municipal Corporations, Railway, Banking, Canal and other Joint-Stock and Trading Bodies, Dean and Chapters, Universities, Colleges, Schools, Hospitals, with *quasi* Corporations aggregate, as Guardians of the Poor, Churchwardens, Churchwardens and Overseers, &c., and also Corporations sole, as Bishops, Deans, Canons, Archdeacons, Parsons, &c. By JAMES GRANT, Esq., of the Middle Temple, Barrister at Law. Royal 8vo. 26*s.* boards.

HOLLAND ON THE FORM OF THE LAW.

ESSAYS upon the FORM of the LAW. By THOMAS ERSKINE HOLLAND, M.A., Fellow of Exeter College, and Chichele Professor of International Law in the University of Oxford, and of Lincoln's Inn, Esq., Barrister at Law 8vo. 7*s.* 6*d.* cloth.

"A work of great ability."—*Athenæum.*

"Entitled to very high commendation."—*Law Times.*

"The essays of an author so well qualified to write upon the subject."—*Law Journal.*

"We can confidently recommend these essays to our readers."—*Law Magazine.*

"A work in which the whole matter is easily intelligible to the lay as well as the professional public."—*Saturday Review.*

"Mr. Holland's extremely valuable and ingenious essays."—*Spectator.*

ROUSE'S COPYHOLD ENFRANCHISEMENT MANUAL.—Third Edition.

The COPYHOLD ENFRANCHISEMENT MANUAL; enlarged, and treating the subject in the Legal, Practical and Mathematical Points of View; giving numerous Forms, Rules, Tables and Instructions for Calculating the Values of the Lord's Rights; Suggestions to Lords' Stewards, and Copyholders, protective of their several Interests, and to Valuers in performance of their Duties; and including the Act of 1858, and Proceedings in Enfranchisement under it. By ROLLA ROUSE, Esq., of the Middle Temple, Barrister at Law. Third Edition, much enlarged. 12mo. 10*s.* 6*d.* cloth.

"This new edition follows the plan of its predecessor, adopting a fivefold division:—1. The Law. 2. The Practice, with Practical Suggestions to Lords, Stewards and Copyholders. 3. The Mathematical consideration of the Subject in all its Details, with Rules, Tables and Examples. 4. Forms. 5. The Statutes, with Notes. Of these, we can only repeat what we have said before, that they exhaust the subject; they give to the practitioner all the materials required by him to conduct the enfranchisement of a copyhold, whether voluntary or compulsory."—*Law Times.*

"When we consider what favor Mr. Rouse's Practical Man and Practical Conveyancer have found with the profession, we feel sure the legal world will greet with pleasure a new and improved edition of his copyhold manual. The third edition of that work is before us. It is a work of great practical value, suitable to lawyers and laymen. We can freely and heartily recommend this volume to the practitioner, the steward and the copyholder."—*Law Magazine.*

"Now, however, that copyhold tenures are being frequently converted into freeholds, Mr. Rouse's treatise will doubtless be productive of very extensive benefit; for it seems to us to have been very carefully prepared, exceedingly well composed and written, and to indicate much experience in copyhold law on the part of the author."—*Solicitors' Journal.*

BENHAM'S STUDENT'S EXAMINATION GUIDE.

The STUDENT'S GUIDE to the PRELIMINARY EXAMINATION for ATTORNEYS and SOLICITORS, and the Oxford and Cambridge Local Examinations and the College of Preceptors, to which are added numerous Suggestions and Examination Questions selected from those asked at the Law Institution. By JAMES ERLE BENHAM, of King's College, London. 12mo. 3*s.* cloth.

"The book is artistically arranged. It will become a useful guide and instructor, not only to Law Students, but to every Student who is preparing for a preliminary examination."—*Law Journal.*

"Mr. Benham has produced a very useful manual for the aid of intending candidates at the solicitors' preliminary examinations, and the Oxford and Cambridge local examinations. He gives many suggestions on all the subjects of examination and full information thereon."—*Law Examination Reporter.*

"The book is written in a clear and agreeable style, and, in spite of a few blemishes, will no doubt be found useful by the class of readers for whom it is intended."—*Law Magazine and Review.*

"This book is intended for the use of those who are about to undergo the preliminary examinations for attorneys and solicitors and for the Oxford and Cambridge local examinations. The student may learn from Mr. Benham what he has to do and the way to do it. We have no doubt that 'Benham's Student's Examination Guide' will be largely patronised in this examining age."—*Standard.*

FIELD ON EVIDENCE IN BRITISH INDIA.—Second Edition.

THE LAW OF EVIDENCE AS ADMINISTERED IN BRITISH INDIA. By C. D. FIELD, LL.D., of the Inner Temple, Barrister at Law, and of H. M.'s Bengal Civil Service. Second Edition, containing the New Code of Evidence passed by the Legislative Council of India. 8vo. 28*s*. cloth.

"We have carefully looked into Mr. Field's work, and our opinion is that it is worthy of the law of which it treats; but it is made additionally and exceptionally valuable by an introduction which is an original essay on evidence in general and Indian evidence in particular. We do not think any better recommendation could be given to persons contemplating the practice of the law in India than to procure Mr. Field's work and master it."—*Law Times.*

FIELD'S TABLE OF, and INDEX TO, INDIAN STATUTES.

CHRONOLOGICAL TABLE OF, and INDEX TO, THE INDIAN STATUTE BOOK from the Year 1834; with a General Introduction to the Statute Law of India. With *Supplement* continuing the Work to August, 1872. By C. D. FIELD, M.A., LL.D., of the Inner Temple, Barrister at Law, and of H.M.'s Bengal Civil Service. Imperial 4to. 42*s*. cloth.

BRANDON'S LAW OF FOREIGN ATTACHMENT.

A TREATISE upon the CUSTOMARY LAW of FOREIGN ATTACHMENT, and the PRACTICE of the MAYOR'S COURT of the CITY OF LONDON therein. With Forms of Procedure. By WOODTHORPE BRANDON, Esq., of the Middle Temple, Barrister-at-Law. 8vo. 14*s*. cloth.

MOSELEY ON CONTRABAND OF WAR.

WHAT IS CONTRABAND OF WAR AND WHAT IS NOT. A Treatise comprising all the American and English Authorities on the Subject. By JOSEPH MOSELEY, Esq., B.C.L., Barrister at Law. Post 8vo. 5*s*. cloth.

SMITH'S BAR EDUCATION.

A HISTORY of EDUCATION for the ENGLISH BAR, with SUGGESTIONS as to SUBJECTS and METHODS of STUDY. By PHILIP ANSTIE SMITH, Esq., M.A., LL.B., Barrister at Law. 8vo. 9*s*. cloth.

The Law and Facts of the Alabama Case, with Reference to the Geneva Arbitration. By JAMES O'DOWD, Esq., Barrister-at-Law. 8vo. 2*s.* sewed.

A Letter to the Right Hon. the Lord High Chancellor concerning Digests and Codes. By WILLIAM RICHARD FISHER, of Lincoln's Inn, Esq., Barrister at Law. Royal 8vo. 1*s.* sewed.

Gray's Treatise on the Law of Costs in Actions and other PROCEEDINGS in the Courts of Common Law at Westminster. By JOHN GRAY, Esq., of the Middle Temple, Barrister at Law. 8vo. 21*s.* cloth.

*** This Work embraces the whole modern Law and Practice of Costs, including the important provisions of the Common Law Procedure Act and Rules, 1852, and the recent Statutes affecting the Jurisdiction of the County Courts.

Pulling's Practical Compendium of the Law and Usage of MERCANTILE ACCOUNTS; describing the various Rules of Law affecting them, the ordinary Mode in which they are entered in Account Books, and the various Forms of Proceeding, and Rules of Pleading, and Evidence for their Investigation, at Common Law, in Equity, Bankruptcy and Insolvency, or by Arbitration. With a SUPPLEMENT, containing the Law of Joint Stock Companies' Accounts, under the Winding-up Acts of 1848 and 1849. By ALEXANDER PULLING, Esq. of the Inner Temple, Barrister at Law. 12mo. 9*s.* boards.

Hamel's International Law.—International Law in con-nexion with Municipal Statutes relating to the Commerce, Rights and Liabilities of the Subjects of Neutral States pending Foreign War; considered with reference to the Case of the "Alexandra," seized under the provisions of the Foreign Enlistment Act. By FELIX HARGRAVE HAMEL, of the Inner Temple, Barrister at Law. Post 8vo. 3*s.* sewed.

Keyser on the Law relating to Transactions on the STOCK EXCHANGE. By HENRY KEYSER, Esq., of the Middle Temple, Barrister at Law. 12mo. 8*s.* cloth.

Gurney's System of Short Hand, as used by both Houses of Parliament. Seventeenth Edition, revised and improved. 12mo. 3*s.* 6*d.* cloth.

"Gurney's is, we believe, admitted to be the best of the many systems."—*Law Times.*

A Memoir of Lord Lyndhurst. By William Sidney GIBSON, Esq., M.A., F.S.A., Barrister at Law, of Lincoln's Inn. Second edition, enlarged. 8vo. 2*s.* 6*d.* cloth.

A Memoir of Mr. Justice Talfourd. By a Member of the Oxford Circuit. Reprinted from the Law Magazine. 8vo. 1*s.* sewed.

Remarks on Law Reform. By George W. M. Dale, of Lincoln's Inn, Esq. 8vo. 1*s.* 6*d.* sewed.

Civil Service of India—8vo. 1s. sewed. On Reporting CASES for their Periodical Examinations by Selected Candidates for the Civil Service of India. Being a Lecture delivered on Wednesday, June 12, 1867, at King's College, London. By JOHN CUTLER, B.A., of Lincoln's Inn, Barrister at Law, Professor of English Law and Jurisprudence, and Professor of Indian Jurisprudence at King's College, London.

Blayney's Practical Treatise on Life Assurance. Second Edition. By FREDERIC BLAYNEY, Esq. 12mo. 7*s*. boards.

The Laws of Barbados. (By Authority.) Royal 8vo. 21*s*. cloth.

Pearce's Guide to the Bar and Inns of Court.—A Guide to the Inns of Court and Chancery; with Notices of their Ancient Discipline, Rules, Orders and Customs, Readings: together with the Regulations of the Four Inns of Court as to the Admission of Students, Keeping Terms, Lectures, Examination, Call to the Bar, &c. By ROBERT R. PEARCE, Esq., of Gray's Inn, Barrister at Law. 8vo. 8*s*. cloth.

Baker's Practical Compendium of the Recent Statutes, CASES, and DECISIONS affecting the OFFICE of CORONER, with Precedents of Inquisitions, and Practical Forms. By WILLIAM BAKER, Esq., one of the Coroners for Middlesex. 12mo. 7*s*. cloth.

Greening's Forms of Declarations, Pleadings and other PROCEEDINGS in the Superior Courts of Common Law, with the Common Law Procedure Act, and other Statutes; Table of Officers' Fees; and the New Rules of Practice and Pleading, with Notes. By HENRY GREENING, Esq., Special Pleader. Second Edition. 12mo. 10*s*. 6*d*. boards.

Browne's Practical Treatise on Actions at Law, embracing the subjects of Notice of Action; Limitation of Actions; necessary Parties to and proper Forms of Actions, the Consequence of Mistake therein; and the Law of Costs with reference to Damages. By ROWLAND JAY BROWNE, Esq., of Lincoln's Inn, Special Pleader. 8vo. 16*s*. boards.

Deane's Law of Blockade, as contained in the Judgments of Dr. Lushington and the Cases on Blockade decided during 1854. By J. P. DEANE, D.C.L., Advocate in Doctors' Commons. 8vo. 10*s*. cl.

Linklater's Digest of and Index to the New Bankruptcy Act, and the accompanying Acts of 1869. By JOHN LINKLATER, Solicitor. Second Edition. Imperial 8vo. 3*s*. 6*d*. sewed.

Pothier's Treatise on the Contract of Partnership. Translated from the French, with Notes, by O. D. TUDOR, Esq., Barrister at Law. 8vo. 5*s*. cloth.

Norman's Treatise on the Law and Practice relating to LETTERS-PATENT for INVENTIONS. By JOHN PAXTON NORMAN, M.A., of the Inner Temple, Barrister at Law. Post 8vo. 7*s.* 6*d.* cloth.

Francillon's Law Lectures. Second Series. Lectures, ELEMENTARY and FAMILIAR, on ENGLISH LAW. By JAMES FRANCILLON, Esq., County Court Judge. First and Second Series. 8vo., 8*s.* each, cloth.

Foreshore Rights. Report of Case of Williams *v.* **Nichol-**son for removing Shingle from the Foreshore at Withernsea. Heard 31st May, 1870, at Hull. 8vo. 1*s.* sewed.

A Treatise on the Law of Sheriff, with Practical Forms and Precedents. By RICHARD CLARKE SEWELL, Esq., D.C.L., Barrister at Law, Fellow of Magdalen College, Oxford. 8vo. 1*l.* 1*s.*

Dwyer's Militia Laws and Regulations. A Compendium of the PRINCIPAL LAWS and REGULATIONS relating to the MILITIA of GREAT BRITAIN and IRELAND. By EDWARD DWYER, B.A., of Lincoln's Inn, Esq., Barrister at Law. 12mo. 5*s.* 6*d.*

Drainage of Land: How to procure Outfalls by New Drains, or the Improvement of Existing Drains, in the Lands of an Adjoining Owner, under the Powers contained in Part III. of the Act 24 & 25 Vict., cap. 133, 1861; with Explanations of the Provisions, and Suggestions for the Guidance of Landowners, Occupiers, Land Agents and Surveyors. By J. WM. WILSON, Solicitor.

Fearne's Chart, Historical and Legigraphical, of Landed Property in England, from the time of the Saxons to the present Æra, displaying at one view the Tenures, Modes of Descent and Power of Alienation of Lands in England at all times during that period. On a sheet, colored, 6*s.*; on a roller, 8*s.*

Speech of Sir R. Palmer, Q.C., M.P., at the Annual Meeting of the Legal Education Association in the Middle Temple Hall, 1871, with a Report of the Proceedings. 8vo. 1*s.* sewed.

Law Students. Full Report of the Proceedings of the First General Congress of Law Students' Societies. Held at Birmingham 21st and 22nd May, 1872. 8vo. 2*s.* sewed.

Legal Education: By W. A. Jevons. A Paper read at the Social Science Congress at Leeds. 1871. 8vo. 6*d.* sewed.

The Ancient Land Settlement of England. A Lecture delivered at University College, London, October 17th, 1871. By J. W. WILLIS BUND, M.A., Professor of Constitutional Law and History. 8vo. 1*s.* sewed.

Field's Law relating to Curates. The Law relating to PROTESTANT CURATES and the RESIDENCE of INCUMBENTS or their BENEFICES in ENGLAND and IRELAND. By C. D. FIELD, M.A., LL.D., of Her Majesty's Bengal Civil Service; Author of the Law of Evidence in India, &c. Post 8vo. 6*s.* cloth.

Ecclesiastical Law.

The Case of the Rev. G. C. Gorham against the Bishop of Exeter, as heard and determined by the Judicial Committee of the Privy Council on appeal from the Arches Court of Canterbury. By EDWARD F. MOORE, M.A., Barrister at Law, Author of Moore's Privy Council Reports. Royal 8vo. 8*s*. cloth.

Coote's Practice of the Ecclesiastical Courts, with Forms and Tables of Costs. By HENRY CHARLES COOTE, Proctor in Doctors' Commons, &c. One thick Vol. 8vo. 28*s*. boards.

Burder *v.* Heath. Judgment delivered on November 2, 1861, by the Right Honorable STEPHEN LUSHINGTON, D.C.L., Dean of the Arches. Folio, 1*s*. sewed.

The Law relating to Ritualism in the United Church of England & Ireland. By F. H. HAMEL, Esq., Barrister at Law. 12mo. 1*s*. sewed.

Archdeacon Hale's Essay on the Union between Church and STATE, and the Establishment by Law of the Protestant Reformed Religion in England, Ireland and Scotland. By W. H. HALE, M.A., Archdeacon of London. 8vo. 1*s*. sewed.

Judgment of the Privy Council in the Case of Hebbert *v.* Purchas. Edited by EDWARD BULLOCK, of the Inner Temple, Barrister at Law. Royal 8vo. 2*s*. 6*d*.

Judgment delivered by Right Hon. Lord Cairns on behalf of the Judicial Committee of the Privy Council in the Case of Martin *v.* Mackonochie. Edited by W. ERNST BROWNING, Esq., Barrister at Law. Royal 8vo. 1*s*. 6*d*. sewed.

Judgment of the Right Hon. Sir Robert J. Phillimore, Official Principal of the Court of Arches, with Cases of Martin *v.* Mackonochie and Flamank *v.* Simpson. Edited by WALTER G. F. PHILLIMORE, B.A., of the Middle Temple, &c. Second Edition, Royal 8vo. 2*s*. 6*d*. sewed.

The Judgment of the Dean of the Arches, also the Judg-ment of the PRIVY COUNCIL, in Liddell (clerk) and Horne and others against Westerton, and Liddell (clerk) and Park and Evans against Beal. Edited by A. F. BAYFORD, LL.D. Royal 8vo., 3*s*. 6*d*. sewed.

The Case of Long *v.* Bishop of Cape Town, embracing the opinions of the Judges of Colonial Court hitherto unpublished, together with the decision of the Privy Council, and Preliminary Observations by the Editor. Royal 8vo., 6*s*. sewed.

Schomberg's Acts for the Commutation of Tithes in England and Wales; with Notes, Observations, and an Epitome of the Law of Tithes. 2nd. Ed. By J. T. SCHOMBERG, Esq., Q.C. 12mo. 7*s*. 6*d*. cl.

The Law of the Building of Churches, Parsonages and Schools, and of the Division of Parishes and Places—continued to 1874. By CHAS. FRANCIS TROWER, M.A., Barrister at Law. Post 8vo. 9*s*. cl.

The History and Law of Church Seats or Pews. By ALFRED HEALES, F.S.A., Proctor in Doctors' Commons. 2 vols. 8vo. 16*s*. cloth.

A Practical Treatise on the Law of Advowsons. By J. MIREHOUSE, Esq., Barrister at Law. 8vo. 14*s*. boards.

PREPARING FOR PUBLICATION.

A Digest of Patent Cases, arranged according to Subject Matter, with a Copious Index. By CLEMENT HIGGINS, Esq., M.A., F.C.S., of the Inner Temple, Barrister at Law. In 1 vol. 8vo.

The Seventh Edition of the Practice in Common Form of the Probate Division of Her Majesty's High Court of Justice. By HENRY CHARLES COOTE, F.S.A., Proctor in Doctors' Commons. Also the Practice of the same Division in Contentious Matters. By T. HUTCHINSON TRISTRAM, D.C.L., Advocate and Barrister at Law. In 1 vol. 8vo.

An Alphabetical Classification of the Legal Principles affecting Marine Insurance, embracing those of England and America. By F. O. CRUMP, of the Middle Temple, Esq., Barrister at Law. In 1 vol. royal 8vo.

Oke's Game Laws. Third edition. In post 8vo.

Oke's Fishery Laws. Second edition. In post 8vo.

The Third Edition of Glen's Law of Highways. In 8vo.

A Concise Law Dictionary. By H. N. MOZLEY, M.A., Barrister at Law, and G. C. WHITELEY, M.A., Barrister at Law. In 1 vol. 8vo.

The Fourth Edition of Starkie's Law of Slander and Libel, By H. C. FOLKARD, Esq., Barrister at Law. In 1 vol. 8vo.

The Fourth Edition of Powell's Principles and Practice of the Law of Evidence. By CUTLER and GRIFFIN. In 1 vol. post 8vo.

A Collection of Mortgage Precedents and Decrees; intended as a Companion Work to the General Law of Mortgage. By W. R. FISHER, Esq., of Lincoln's Inn, Barrister at Law. In 1 vol. royal 8vo.

The Third Edition of the Law of Mortgage, and other Securities upon Property. By WILLIAM RICHARD FISHER, of Lincoln's Inn, Esq., Barrister at Law. In 2 vols. royal 8vo.

Imprinted at London,
nvmber Seuen in Flete strete within Temple barre,
whylom the signe of the Hande and starre,
and the Hovse where liued Richard Tottel,
printer by Special patents of the bokes of the Common lawe
in the seueral reigns of
Kng Edw. VI. and of the qvenes Marye and Elizabeth.

LAW WORKS FOR STUDENTS.

[illegible]

The Bar Examination Journal. [illegible]

The Law Examination Journal and Law Guide. [illegible]

The Preliminary Examination Journal and Guide to Literary Qualifications. [illegible]

Mr. Serjeant Manning's Elections on Conveyancing [illegible]

Goldsmith's Doctrine and Practice of Equity. [illegible]

Tudor's Selection of Leading Cases on Real Property, Conveyancing, Wills and Equity. [illegible]

Hoole's Articled Clerks' Handy Book, with Questions [illegible]

Reason's Student's Guide to the Preliminary Examination [illegible]

Kelly's Conveyancing Draftsman. [illegible]

Underhill's Law of Torts or Wrongs. [illegible]

LAW BOOKS FOR STUDENTS.

Fulton's Manual of Constitutional History. Post 8vo. [illegible] cloth.

Gunn's Equity under the Judicature Act, 1873, or [illegible]

Bullard's Intermediate Examination Guide in Common Law. [illegible]

Sugden's Law of Vendors and Purchasers of Real Property, [illegible]

Lewis's Principles of Conveyancing Explained and Illustrated. [illegible]

Lewis's Principles of Equity Drafting; with an Appendix [illegible]

Batty's Treatise on the Practice of Conveyancing. [illegible]

Powell's Principles and Practice of the Law of Evidence. [illegible]

Hunter's Suit in Equity. With Forms. [illegible] Edit. [illegible]

Pearce's Guide to the Bar. 8vo. [illegible] sheets.

Kett's Action at Law. Third Edit. 12mo. [illegible] cloth.

Dewey's Concise Treatise on the Principles of Equity [illegible]

Williams's Introduction to the Principles and Practice [illegible]

Cutler and Griffin's Analysis of the Indian Penal Code. [illegible]

Cutler on Reporting Cases for the Examinations [illegible]

M. Ortolan's History of the Roman Law, translated [illegible]

Hammick's Institutes of English Public Law. [illegible]